

HEADQUARTERS,
DEPARTMENT OF THE ARMY
WASHINGTON, D.C. 20310-0440

DEPARTMENT OF DEFENSE
CIVIL DISTURBANCE PLAN

15 FEBRUARY 1991

Headquarters, Department of the Army
Washington, D.C. 20310-0440
15 February 1991

PREFACE

1. This operations plan (OPLAN) is entitled Department of Defense Civil Disturbance Plan. Its nickname is GARDEN PLOT. This OPLAN provides guidance and direction for participation by all Department of Defense (DOD) components in civil disturbance operations in support of civil authorities. All parts of this OPLAN are unclassified.

2. In accordance with (IAW) DOD Directive 3025.12, the Secretary of the Army is the DOD Executive Agent for military operations in response to domestic civil disturbances within the fifty states, District of Columbia, Commonwealth of Puerto Rico, U.S. territories and possessions, and any political subdivision thereof. This OPLAN is published under the authority of this executive agency. GARDEN PLOT applies to the military departments, the unified and specified commands, the defense agencies, and other DOD components for planning, coordinating, and executing military operations during domestic civil disturbances.

3. This OPLAN supercedes DA Civil Disturbance Plan dated 1 March 1984. This OPLAN is effective upon publication. All supporting planning documents should be updated IAW with this revised OPLAN within 180 days.

4. Revision of GARDEN PLOT was prompted by the following factors:

a. The Goldwater-Nichols Department of Defense Reorganization Act of 1986.

b. The need to clearly establish a direct line of operational authority for domestic civil disturbance operations.

c. Various organizational changes and redesignations among DOD components.

d. A general need to clarify and simplify GARDEN PLOT.

5. The proponent for this OPLAN is the Director of Military Support (DOMS). Recommended changes to this plan should be submitted to the following address:

Headquarters, Department of the Army
ATTN: DAMO-ODS
Washington, D.C. 20310-0440

Whenever possible, recommended changes should be submitted using DA Form 2028, Recommended Changes to Publications and Blank Forms, or a facsimile thereof.

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REFERENCES TO DEPARTMENT OF DEFENSE CIVIL DISTURBANCE PLAN

<u>REFERENCES</u>	<u>APPLICABLE TO</u>
<u>Statutes</u>	
Title 10, Chapter 15, United States Code	Entire Plan
31 United States Code 1535 (Economy Act)	Entire Plan
10 United States Code 331	Annex K
18 United States Code (Posse Comitatus Act)	Entire Plan
Public Law 97-124 (Federal Tort Claims Act)	Annex E
Goldwater-Nichols 1986 DOD Reorganization Act	Entire Plan
41 United States Code 3732	Annex P
<u>Department of Defense Directives</u>	
DOD Directive 3025.12, Employment of Military Resources in the Event of Disturbances	Entire Plan
DOD Directive 5200.27, Acquisition of Information Concerning Persons and Organizations not Affiliated with the Department of Defense	Entire Plan
DOD Directive 5240.1-R, Procedures Governing the Activities of DOD Intelligence Components that Affect United States Persons	Annex B
DOD Directive 7200.9, Financing and Reporting Costs of Military Resources Used in Civil Disturbances	Annex J
<u>Joint Publications</u>	
Joint Pub 0-2, Unified Action Armed Forces (UNAAF)	Entire Plan
Joint Pub 1-02, DOD Dictionary of Military and Associated Terms	Entire Plan
Joint Pub 1-03, Joint Reporting Structure (JRS)	Annexes C & J

Joint Pub 4-04, Mobility System Policies, Procedures and Considerations	Annex D
<u>Plans</u>	
Current Army Capabilities Plan	Annex D
Postal Augmentation Plan, GRAPHIC HAND	Annex E
DLA War and Emergency Plan, Annex 5, Domestic Emergencies	Entire Plan
<u>Service Manuals</u>	
FM 10-69, Petroleum Supply Point Equipment and Operations	Annex D
FM 19-15, Civil Disturbances	Entire Plan
FM 21-31, Topographic Symbols	Annex I
<u>Service Regulations/Pamphlets</u>	
AR 1-4, Employment of Department of the Army Resources in Support of the United States Secret Service (SECNAVINST 3020.4/AFR 205-12)	Annex K
AR 5-9, Intraservice Support Installation Area Coordination	Annex E
AR 25-1, The Army Information Resources Management Program	Annexes C & E
AR 27-20, Claims	Annex E
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AR 37-111, Working Capitol Funds - Army Stock Fund; Uniform Policies, Principles, and Procedures Governing Army Stock Funds Operations	Annex C
AR 40-2, Army Medical Treatment Facilities: General Administration	Annex E
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AR 40-121, Uniformed Services Health Benefits Program, (SECNAVINST 6320.8D/AFR 168-9/PHS CEN CIR NO. 6/CG COMDTINST 6320.2B)	Annex E
AR 40-330, Rates Codes, Expense and Performance Reporting Systems, Centralized Billing, and Medical Services Accounts	Annex E
AR 40-535, Worldwide Aeromedical Evacuation, AFR 164-5/OPNAVINST 4630.9C/MCO 4630.9A	Annex E
AR 55-355, Military Traffic Management Regulation, (OPNAVINST 4630.9C/AFR 164-5/MCO P4630.9A)	Annex D
AR 60-20, Army and Air Force Exchange System (AAFES) Operating Policies (AFR 147-14)	Annex G
AR 75-14, Interservice Responsibilities for Explosive Ordnance Disposal (OPNAVIMST 0027.1E/AFR 136-8/MCO 8027.1B)	Annex K
AR 75-15, Responsibilities and Procedures for Explosive Ordnance Disposal	Entire Plan
AR 140-185, Training and Retirement Point Credits and Unit Level Strength Accounting Records.	Annex E
AR 190-45, Law Enforcement Reporting	Annex B
AR 210-130, Laundry and Dry Cleaning Operations	Annex D
AR 215-1, Administration of Morale, Welfare and Recreational Activities and Nonappropriated Fund Instrumentalities	Annex E
AR 340-17, Release of Information and Records from Army Files	Entire Plan
AR 350-7, Training and Evaluation of Forces for Civil Disturbances	Annex A
AR 350-41, Army Forces Training	Annex A
AR 360-5, Army Public Affairs, Public Information	Annex F
AR 360-81, Command Information Program	Annex F
AR 380-5, Department of the Army Information Security Program	Entire Plan

AR 380-13, Acquisition and Storage of Information Concerning Non-Affiliated Persons and Organizations	Entire Plan
AR 381-10, U.S. Army Intelligence Activities	Annex B
AR 381-20, U.S. Army Counterintelligence Activities	Annex B
AR 405-80, Granting Use of Real Estate	Annex K
AR 500-1, Aircraft Piracy Emergencies	Annex O
AR 500-50, Civil Disturbances	Entire Plan
AR 500-51, Emergency Employment of Army and Other Resources Support to Civilian Law Enforcement	Entire Plan
AR 500-60, Disaster Relief	Annex K
AR 525-1, Department of the Army Command and Control System (DACCS)	Annex J
AR 530-1, Operations Security (OPSEC)	Entire Plan
AR 570-4, Manpower Management	Annex E
AR 600-8-1, Army Casualty and Memorial Affairs and Line of Duty Investigations	Annex E
AR 608-2, Servicemen's Group Life Insurance (SGLI), Veterans' Group Life Insurance (VGLI), United States Government Insurance (USGI), and National Service Life Insurance (NSLI)	Annex E
AR 614-185, Requisitions and Assignment Instructions for Officers	Annex E
AR 614-200, Selection of Enlisted Soldiers for Training, and Assignment	Annex E
AR 672-5-1, Military Awards	Annex E
AR 680-1, Unit Strength Accounting and Reporting	Annex E
AR 700-49, Loan of DLA Stock Fund Materiel (DLAR 4140.27/AFR 400-52/MCO 4443.10)	Annexes D & K
AR 700-131, Loan and Lease of Army Materiel	Annex K

DA Pam 600-8-2, Standard Installation/ Division Personnel System (SIDPERS)	Annex E
DA Pam 608-33, Casualty Assistance Handbook	Annex E
NGR 680-1, Unit Records of Reserve Training, Army National Guard	Annex E
CTA 23-100-6, Ammunition, Rockets, and Missiles for Unit Training: Active Army and Reserve Components	Annex D
CTA 50-900, Clothing and Equipment (PEACE)	Annex D
 <u>Defense Agency Publications</u>	
DCA Circular 310-130-1, Submission of Telecom- munication Service Requests	Annex G
 <u>Memoranda</u>	
Memorandum of Understanding between the U.S. Army and the U.S. Coast Concerning Civil Disturbance Plans and Operation, 12 August 1971	Entire Plan
Memorandum of Understanding between CSA and CSAF Concerning the Position of Deputy Director of Military Support for Executive Agent Functions, 24 April 1974	Entire Plan
Memorandum of Understanding Concerning Replacement of Permanently Assigned Air Force Officers in DOMS with Permanent Points of Contact Within the Directorate of Operations, HQ, USAF, 18 July 1974	Entire Plan
Memorandum of Understanding Between DCSOPS, Army and DCSP&O, Marine Corps Concerning Coordination Between Army and Marine Corps as Regards to DOMS Executive Agent Functions, 19 June 1974	Entire Plan
Memorandum for the Secretary of Defense, Subject: Unified, Specified and Subordinate Command Structure (ALCOM)(U), 20 December 1974 (JCSM 4794)	Entire Plan

DOD Executive Agent Memorandum, "Employment of Military Resources to Assist the Federal Bureau of Investigation in the Event of Terrorist Incidents," dated 30 July 1973	Annex 0
<u>Miscellaneous</u>	
Executive Order 12036, United States Intelligence Activities, 24 January 1978	Annex B
Interdepartmental Action Plan for Civil Disturbances between Department of Defense and Department of Justice, approved by the President on 1 April 1969, as amended by a Supplemental Memorandum of Understanding, dated 12 November 1969	Entire Plan
Assistant Secretary of Defense (Public Affairs) Civil Disturbance Public Affairs Plan-PA 23/1	Annex F
Department of Defense Key Facilities List	Entire Plan
DOD Accounting Policy Manual 7220.9-M	Annex P
Terms of Reference for Director of Military Support (DOMS), 6 November 1978	Entire Plan
Graphic Training Aid (GTA) 21-2-7, Special Orders for All Military Personnel Engaged in Civil disturbance operations	Annex C
Armed Services Procurement Regulations	Annex K

Headquarters, Department of the Army
Washington, D.C. 20310-0440
15 February 1991

DEPARTMENT OF DEFENSE CIVIL DISTURBANCE PLAN

REFERENCES: See References, page vi

TASK ORGANIZATION: Annex A.

1. SITUATION.

a. General. The primary responsibility for protection of life and property and the maintenance of law and order within the territorial jurisdiction of any state, the District of Columbia (D.C.), Commonwealth of Puerto Rico, U.S. possessions, and U.S. territories is vested in the local and state governments. The employment of federal military forces to control civil disturbances normally will be authorized by a Presidential Directive or Executive Order directing the Secretary of Defense to help restore law and order in a specific state or locality. Exceptions to this condition will be limited to:

(1) Sudden and unexpected civil disturbances (including civil disturbances incident to earthquake, fire, flood, or such calamity endangering life) where immediate response is required and where the lack of communications prevent an immediate response.

(2) Protection of federal property and functions (see Annex N, Protection of Federal Property and Functions).

(3) The use of military forces to respond to domestic terrorist incidents pursuant to specific statutory authority (see Annex O, Assistance to the Federal Bureau of Investigation in Combatting Terrorism). While an Executive Order and Proclamation may not be required by statute, military troops will not be used, as a matter of policy, to respond to such incidents unless specifically authorized by the President.

b. Authority.

(1) DOD Directive 3025.12 designates the Secretary of the Army as the Executive Agent for DOD in all matters pertaining to the planning for and employment of federal military resources in the event of civil disturbances off military installations in the 50 States, District of Columbia, Commonwealth of Puerto Rico, U.S. possessions and U.S. territories, or any political subdivision thereof (hereafter called "domestic civil disturbances").

(2) The DOMS is the Action Agent for the Executive Agent. The DOMS plans for, coordinates, and directs the employment of all designated federal resources for the Executive Agent in civil disturbance operations and serves as the DOD point of contact in all such matters. DOD components having cognizance over military resources are responsible for supporting the Executive Agent through the DOMS in matters concerning civil disturbances.

(3) The Executive Agent--or the Under Secretary of the Army as his designee--exercises direction of designated joint task force (JTF) commanders through a designated commander-in-chief (CINC) who serves as his Operating Agent. The Operating Agent is a supported CINC and is responsible for all civil disturbance operations involving federal military forces within his area of responsibility (AOR). The potential operating Agents/Supported CINCs for domestic civil disturbance operations are: United States Commander in Chief, Atlantic Command (USCINCLANT); Commander in Chief, Forces Command (CINCFOR); and United States Commander in Chief, Pacific Command (USCINCPAC). See Annex H for diagrams depicting command relationships during civil disturbance operations.

c. Intelligence.

(1) See Annex B.

(2) Threat.

(a) During domestic civil disturbance operations, federal military forces will confront members of the civil populace participating in group acts of violence antagonistic to authority. These acts can fall anywhere along a broad spectrum of violence that encompasses individual acts of terrorism, riots, and insurrection.

(b) Civil disturbances may occur spontaneously, by preplanning, or incidental to some other event. People participating in a civil disturbance may be members of any class, age group, or part of the political spectrum. Their participation may be motivated by economic, criminal, racial, religious, political, or psychological considerations, or any combination thereof.

(c) The capabilities of the participants will vary widely. They may use planned or spontaneous tactics that are nonviolent or violent. The technical sophistication of violent participants can also vary widely, ranging from crude weapons to sophisticated modern weapons. Participants' actions may be governed by the forces of crowd behavior or by leaders exercising command and control through advanced communications. While most participants will typically be on foot, vehicles may be used.

d. Friendly.

(1) Department of Justice (DOJ). As the chief civilian official in charge of coordinating all federal government activities relating to civil disturbances, the Attorney General:

(a) Provides early warning and threat information to support civil disturbance planning.

(b) Receives and coordinates preliminary requests from states for commitment of federal military forces in cases of civil disturbance.

(c) Provides advice and support as required to carry out the provisions of executive orders.

(d) Designates the Senior Civilian Representative of the Attorney General (SCRAG) to be located in each city where federal forces are committed.

(e) After consultation with the Secretary of Defense, advises the President regarding the use of federal military forces.

(f) Establishes federal law enforcement policies concerning civil disturbance operations.

(g) Coordinates the activities of federal law enforcement agencies with those of the state and local agencies similarly engaged.

(h) Obtains informal approval from the President to preposition any force exceeding a battalion in size (i.e. exceeding 500 personnel) in anticipation of commitment to civil disturbance operations. (After Presidential informal approval, actual prepositioning will be on order of the Secretary of Defense.)

(i) Coordinates with committed federal military forces to conduct specific civil disturbance operations through his SCRAG.

(2) U.S. Coast Guard (USCG). Provides coastal and inland water patrolling forces, logistical support, and other support for civil disturbance operations IAW Annex M (Civil Disturbance Operations Involving U.S. Coast Guard).

e. Assumptions.

(1) Simultaneous domestic civil disturbances requiring commitment of federal forces at different locations may occur.

(2) If the civil disturbance constitutes a national emergency, forces of the ready reserve will be available for civil disturbance operations by order of the President or Congress.

(3) Under conditions of partial or full mobilization, armed forces will be made available, as required, for civil disturbance operations consistent with the programmed flow of forces in support of executed contingency plans.

(4) Forces that are allocated to other OPLANS may be rapidly recalled and deployed elsewhere. Strategic forces will only be employed at the discretion of the National Command Authority (NCA).

2. MISSION. When directed by the President, designated federal military forces conduct civil disturbance operations, through appropriate military commanders, within the 50 States, District of Columbia, the Commonwealth of Puerto Rico, U.S. possessions, and U.S. territories or any political subdivision thereof, to assist civil authorities in the restoration of law and order.

3. EXECUTION.

a. Concept of Operations, see Annex C.

b. Defense Investigative Service (DIS).

(1) Provide DIS support for civil disturbance operations, as directed.

(2) Provide the Executive Agent, operating Agent/Supported CINC, and other agencies as appropriate, information to support the security and protection of key facilities when they are involved in or threatened by civil disturbances which may require the commitment of federal military forces.

c. Defense Communications Agency (DCA). Provide DCA support for civil disturbance operations, as directed.

d. Defense Mapping Agency (DMA). Provide map services in support of civil disturbance planning and operations (see Annex B).

e. Defense Intelligence Agency (DIA). Provide intelligence and counterintelligence support for civil disturbance operations at the request of and in support of the Executive Agent.

f. Defense Logistics Agency. Provide logistical support for civil disturbance operations.

g. Operating Agent/Supported CINC.

(1) Designate JTF commander.

(2) Designate JTF headquarters as shown at Annex A (Task organization, Forces and Reaction Times). When the civil disturbance is in Washington, D.C., the JTF commander will be Commander, Military District of Washington, (MDW).

(3) Conduct civil disturbance operations within AOR IAW alert order (see Appendix 1, Annex C) and execution order (see Appendix 6, Annex C).

(4) Prepare to accept follow-on forces from other commands effective upon their arrival at the area of operations (AO).

(5) Provide logistical support to all federal military forces conducting civil disturbance operations in AOs within AOR.

(6) Prepare supporting OPLAN (see Annex I, Planning) to implement GARDEN PLOT.

(7) When directed, prepare OPLANS to support conduct of civil disturbance operations for specific AOs (see Annex I, Planning).

(8) Conduct headquarters staff training, as required, to maintain readiness to control civil disturbance operations.

(9) Ensure service components have adequate, effective and coordinated logistic support policies and procedures (including interservice support) for civil disturbance operations.

(10) Task supporting CINCs, services, and DOD agencies for resources required for civil disturbance operations in excess of those available within own command. Inform DOD of these taskings by dual addressee communication (TO HQDA DirMilSpt, and INFO JCS).

(11) Establish and maintain liaison with state and municipal civil authorities for the AO, the SCRAG, and other federal government representatives.

(12) On order of the Executive Agent, initiate a reconnaissance of the AO conducted by the JTF commander.

h. Supporting CINCs.

(1) Provide military resources to Operating Agent/Supported CINC.

(2) On order of the Executive Agent, provide forces to the Operating Agent/Supported CINC for domestic civil disturbance operations.

(3) Deploy civil disturbance forces to the AO as requested by the operating Agent/Supported CINC.

(4) Prepare to pass control of forces to gaining Operating Agent/Supported CINC upon their arrival at the AO (see Annex C, Concept of Operations).

(5) Be prepared to provide logistical support to detached forces where gaining Operating Agent/Supported CINC does not have required logistical support available in the AO.

i. United States Commander in Chief, Transportation Command (USCINCTrans).

(1) Provide common-user transportation in response to validated transportation requirements from the Operating Agent/Supported CINC.

(2) Provide air weather support, aeromedical evacuation, and, within the capability of its assigned resources, aerial reconnaissance.

j. Chairman, JCS.

(1) Establish procedures that will promptly transfer military resources among unified and specified commands for domestic civil disturbance operations.

(2) Advise the Executive Agent of the impact of civil disturbance operations on defense priorities and on current, planned, and contingency operations.

k. JTF Commander(s).

(1) Move to AO on order of the Operating Agent/Supported CINC and conduct a reconnaissance of the AO.

(2) Assume operational responsibility of all federal military forces designated for civil disturbance operations assigned to the objective area effective upon their arrival.

(3) Coordinate with DOJ representative in objective area on the deployment, employment, and redeployment of federal military forces.

(4) Establish liaison with state and municipal civil authorities having responsibility for AO.

(5) Submit requests for additional support to the Operating Agent/Supported CINC.

l. Department of the Army (DA). Designate and provide military resources as required by the Executive Agent to support civil disturbance operations.

(1) United States Army Training and Doctrine Command (TRADOC). Develop training programs and doctrine for civil disturbance operations for use by military services and unified and specified commands.

(2) United States Army Information Systems Command (USAISC).

(a) Provide communications/information management support, as required by the Executive Agent, for civil disturbance operations.

(b) Maintain the capability to support civil disturbance operations with communications/information management teams in up to four separate AOs simultaneously. These teams must be capable of providing both voice and data service (see Annex G).

(3) United States Army Materiel Command (AMC).

(a) Provide wholesale logistics support to military forces committed to civil disturbance operations.

(b) On order of the Executive Agent, release civil disturbance contingency equipment as identified at Annex D (Logistics).

(c) On request of the operating Agent/Supported CINC, provide logistics assistance teams (LATs) to JTF headquarters committed to civil disturbance operations.

m. Department of the Navy (DN).

(1) Designate and provide military resources of the Navy and United States Marine Corps (USMC) required by the Executive Agent to support civil disturbance operations.

(2) Make sealift and airlift resources available to USCINCTrans, as required.

(3) Organize, train, and maintain forces in readiness for civil disturbance operations IAW Annex A.

n. Department of the Air Force (DAF). Designate and provide military resources of the Air Force USAF as required by the

Executive Agent to support civil disturbance operations, to include designation of specific units or members of the Air National Guard to be called into active federal service.

o. Coordinating Instructions.

(1) This OPLAN provides guidance and direction for participating military service and DOD components in all domestic civil disturbance matters.

(2) This OPLAN is effective upon publication. It is effective for planning on receipt and for execution on order.

(3) Coordination is authorized among all DOD components. Coordination with civil planning authorities will be as directed by USCINCLANT, CINCFOR, and USCINCPAC for their respective AORs; coordination with civil authorities at the national level will be as directed by the Executive Agent.

(4) All taskings to unified and specified commanders will be coordinated by the Executive Agent with the Joint Staff.

(5) Plans will be prepared, reviewed, and distributed IAW instructions contained at Annex I.

(6) Public affairs in support of civil disturbance operations will be as prescribed at Annex F.

(7) Civil disturbance operations reports will be submitted IAW Annex J.

(8) All messages and correspondence pertaining to civil disturbance plans and operations will include the nickname GARDEN PLOT.

(9) Communications for the Executive Agent during GARDEN PLOT operations will be addressed as follows: DirMilSpt Wash DC. Oral instructions will be confirmed, as time permits, by written communications.

(10) Employment of forces from two or more military services will be IAW Joint Pub 2.

(11) DN and DAF will coordinate civil disturbance counterintelligence activities with Deputy Chief of Staff for Intelligence, HQDA, when such activities are authorized by the Executive Agent for civil disturbance matters.

4. SERVICE SUPPORT.

a. Logistics - Annex D.

- b. Personnel - Annex E.
 - c. Public Affairs - Annex F.
 - d. Funding - Annex P.
5. COMMAND AND SIGNAL.
- a. Signal - Annex G.
 - b. Command.
 - (1) Command Relationships - Annex H.
 - (2) Command Posts - Annex A.

FOR THE EXECUTIVE AGENT

OFFICIAL:

/s/GLYNN C. MALLORY, JR.
GLYNN C. MALLORY, JR.
Major General, GS
Director of Military Support

Annexes: A - Task Organization, Forces and Reaction Times
B - Intelligence
C - Concept of Operations
D - Logistics
E - Personnel
F - Public Affairs
G - Communications/Information Management
H - Command Relationships
I - Planning
J - Reports
K - Loan of Department of Defense Resources

- L - Explanation of Terms
- M - Civil Disturbance operations Involving U.S. Coast
Guard
- N - Protection of Federal Property and Functions
- O - Assistance to the Federal Bureau of Investigation in
Combatting Terrorism
- P - Funding
- Z - Distribution

ANNEX A (TASK ORGANIZATION, FORCES, AND REACTION TIMES) TO
DEPARTMENT OF DEFENSE CIVIL DISTURBANCE PLAN

1. TASK ORGANIZATION.

MILITARY DEPARTMENTS

<u>AGENCY</u>	<u>COMMAND POST</u>
Department of the Army	The Pentagon, Washington, D.C.
Department of the Navy	The Pentagon, Washington, D.C.
Department of the Air Force	The Pentagon, Washington, D.C.

DEFENSE AGENCIES

Defense Logistics Agency	Cameron Station, Alexandria, VA
Defense Intelligence Agency	The Pentagon, Washington, D.C.
Defense Communications Agency	8th Street & South Courthouse Road, Arlington, VA
Defense Mapping Agency	8613 Lee Highway, Fairfax, VA

UNIFIED/SPECIFIED COMMANDS

USCINCLANT	U.S. Naval Base, Norfolk, VA
USCINCPAC	Camp H. M. Smith, HI
CINCFOR	Fort McPherson, GA
USCINCTrans	Scott Air Force Base (AFB), IL

DEPARTMENT OF THE ARMY

Chief of Staff, Army (CSA)	The Pentagon, Washington, D.C.
Forces Command (FORSCOM)	Fort McPherson, GA
TRADOC	Fort Monroe, VA
AMC	5001 Eisenhower Avenue, Alexandria, VA
USAISC	Fort Huachuca, AZ
MDW	Fort Lesley J. McNair, Washington, D.C.
U.S. Army Corps of Engineers (USACE)	Washington, D.C.

DEPARTMENT OF THE NAVY

Chief of Naval Operations (CNO)	The Pentagon, Washington, D.C.
Commandant of the Marine Corps (CMC)	Navy Annex, Washington, D.C.

DEPARTMENT OF THE AIR FORCE

Chief of Staff, Air Force (CSAF)	The Pentagon, Washington, D.C.
Air Force Reserve (AFRES)	Robins AFB, GA

Airlift Readiness Section
Aerospace Rescue & Recovery
Service (ARRS)

HQ USAF, The Pentagon,
Washington D.C.
Scott AFB, IL

UNITED STATES COAST GUARD

Commandant, U.S. Coast Guard 400 Seventh Street, SW,
Washington, DC

2. FORCES.

a. General. Units designated for civil disturbance operations will be trained, equipped, and maintained in readiness for rapid deployment. Other units (infantry and military police [MP]) will: receive civil disturbance orientation-type training; be prepared to receive special equipment required for civil disturbance operations; and be prepared to initiate more intensive training on short notice.

b. JTF Headquarters.

(1) CINCFOR will:

(a) Designate one Brigade-size JTF headquarters for each active component CONUS Army Corps; designate one headquarters from each active component CONUS Army corps capable of exercising command and control of a JTF consisting of two or more brigades.

(b) Be prepared to provide one designated JTF headquarters from a corps if augmentation forces are employed in the Washington, D.C., area.

(2) Commander (Cdr), MDW, will: maintain in readiness Headquarters, JTF MDW; periodically test JTF MDW headquarters organization and procedures for civil disturbance operations by command post exercise (CPX); establish appropriate civil disturbance standing operating procedures (SOPs); conduct liaison with D.C. authorities as required; prepare a city information planning packet for Washington, D.C. JTF MDW will be used exclusively in the Washington, D.C., area and will control federal forces employed in the Washington, D.C., area for civil disturbance operations. When directed by the Executive Agent, up to two brigades may be deployed to augment JTF MDW without necessitating activation of an additional JTF headquarters.

(3) USCINCLANT and USCINCPAC will each designate, as a minimum, one JTF headquarters capable of exercising command and control of a brigade-size JTF.

(4) Headquarters designated as JTF headquarters will: establish the JTF headquarters organization; develop necessary civil disturbance SOPs; and be prepared to initiate intensive planning for civil disturbance AOs as identified.

(5) JTF headquarters will include, as a minimum, the following representation in addition to principle staff:

- (a) Transportation officer.
- (b) Engineer.
- (c) Public affairs (PA) officer.
- (d) Judge Advocate.
- (e) Military intelligence specialists.
- (f) Provost Marshal.
- (g) Signal officer.
- (h) Surgeon.
- (i) USAF air liaison officer (ALO).
- (j) USMC unit liaison officer (when USMC units are employed in the JTF).
- (k) USCG unit liaison officer (when Coast Guard units are employed in the JTF).
- (l) Chemical officer.

c. JTF Units.

(1) Brigades are the basic JTF units and normally will be comprised of a brigade headquarters, a support element, and two battalions. For planning purposes, the minimum strength of a GARDEN PLOT brigade will be 1,210 personnel; maximum strength will be based upon the strength of the nominated brigade and unit integrity, not to exceed 2,150 personnel for planning purposes.

(2) When one brigade or less is employed under a JTF headquarters, the JTF will normally be commanded by an officer in the rank of brigadier general/rear admiral (lower half). When two or more brigades are employed under a JTF headquarters, the JTF will normally be commanded by an officer in the grade of major general/rear admiral (upper half) (Exception: JTF MDW will always be commanded by Commander, MDW, an Army major general).

(3) Prospective Operating Agents/Supported CINCs (USCINCLANT, CINCFOR, USCINCPAC) will publish guidance for the development of model GARDEN PLOT organizations applicable to civil disturbance operations within their AORs.

d. Force Requirements. Following are the minimum requirements for units capable of accomplishing civil disturbance missions.

(1) Commander, FORSCOM, in coordination with (ICW) Commander, TRADOC, will maintain, train, and equip units for civil disturbance operations as follows:

(a) One brigade per active component CONUS division, prepared for rapid deployment anywhere in CONUS.

(b) Six additional battalions (including two MP battalions) for assignment to JTF MDW. These battalions are in addition to the one battalion each assigned to JTF MDW by CDR MDW and USCINCLANT.

(c) Other CONUS-based Army MP units and infantry brigades or brigade equivalents considered "other units" as described in paragraph 2a above.

(d) A Quick Reaction Force (QRF) consisting of a JTF headquarters and one brigade from forces specified in paragraph 2b(1)(a) and 2d(i)(a), above. The QRF will be on a 24-hour alert status and be capable of attaining a civil disturbance condition (CIDCON) 4 status (see Appendix A-1) in 12 hours. Report specific units IAW Annex J.

(e) Forces other than the QRF are not considered to be on any special alert status until designated by the operating Agent/Supported CINC for a particular mission. Except in unusual situations, units will be designated to permit maximum preparation time (72-96 hours). They are considered to be on a 24-hour alert status and capable of attaining a CIDCON 4 status in 12 hours.

(2) CMC will maintain, train, and equip units for civil disturbance operations and be prepared to provide one company at Marine Barracks, Washington, D.C., for protection of the U.S. Capitol Building under command of Cdr, JTF MDW, when activated.

(3) USCINCLANT will be prepared to provide two marine battalions in the eastern United States, one of which will be employed exclusively with JTF MDW.

(4) Cdr, MDW, maintain, train, and equip one battalion (-) and a JTF headquarters from infantry units within MDW for employment with JTF MDW for civil disturbance operations.

e. Training.

(1) All GARDEN PLOT units will be prepared to conduct civil disturbance operations IAW U.S. Army Field Manual (FM) 19-15, Civil Disturbances.

(2) Training will be conducted IAW Army Regulation (AR) 350-41 (or comparable regulations for other services, as applicable) when the personnel turnover in units is so great that refresher training would not produce a unit proficient in civil disturbance tasks.

(3) To maintain the proficiency required to conduct civil disturbance control operations, civil disturbance refresher training should be conducted. The following general subject areas are identified as a guide for refresher training; however, unit commanders should conduct refresher training based on the needs of the unit and individuals therein to maintain proficiency:

- (a) Policies and legal considerations.
- (b) Application of minimum force.
- (c) Neutralization of special threats.
- (d) Riot control agents and munitions.
- (e) Search and seizure.
- (f) Apprehension and detention.

(4) The services will establish procedures to periodically evaluate the effectiveness of the civil disturbance training.

(5) All personnel will receive training prescribed in this paragraph prior to employment in a civil disturbance operation.

f. Force Requirements Guidance.

(1) Use of one or more MP battalions in civil disturbance operations will require control by a GARDEN PLOT JTF headquarters.

(2) The Operating Agent/Supported CINC will provide aviation support to each committed JTF as follows:

(a) Helicopters with riot control agent disperser and loudspeaker capability.

(b) Command and control helicopters.

(c) Aeromedical evacuation within AOs.

(d) Aerial reconnaissance support.

(3) The Operating Agent/Supported CINC will ensure that the following type combat and combat service support forces are suitably tailored to support committed JTFs:

(a) Aviation.

(b) Logistical control headquarters.

(c) Maintenance.

(d) Medical.

(e) Military police and criminal investigators.

(f) Ordnance (ammunition).

(g) Signal.

(h) Supply and service.

(i) Transportation.

3. ADDITIONAL ACTIVE GROUND FORCES. Additional federal military forces stationed in the vicinity of AOs may be employed as requested by the Operating Agent/Supported CINC.

Appendix: 1 - Civil Disturbance Condition

APPENDIX 1 (CIVIL DISTURBANCE CONDITION) TO ANNEX A (TASK ORGANIZATION, FORCES, AND REACTION TIMES) TO DEPARTMENT OF DEFENSE CIVIL DISTURBANCE PLAN

1. PURPOSE. To establish a CIDCON system that will:

a. Provide a structured procedure for the orderly, progressive, and timely increase in preparedness of designated forces.

b. Standardize terms to be used by all services.

c. Maximize efficient use of available forces.

2. SCOPE. The CIDCON system consolidates existing procedures and is specifically tailored to the civil disturbance mission. This system will be implemented within all services and commands to the extent necessary to fulfill assigned responsibilities under this OPLAN. Directives prepared in support of this plan will provide for an exercise notification system (IAW paragraph 9, this appendix).

3. GENERAL.

a. This appendix provides policy guidance for use by the services and commands on actions to be taken upon notification of possible deployment or prepositioning of forces for civil disturbance operations. Changes in reaction posture above CIDCON 4 will be directed by the DOMS, acting on behalf of the Executive Agent. Times indicated for attainment are maximum permissible times.

b. This CIDCON system is independent of the JCS Defense Readiness Condition (DEFCON) system. Should a conflict develop between these systems, the matter will be referred to the Executive Agent and the JCS for resolution.

4. EXPLANATION OF TERMS.

a. Civil Disturbance Conditions. CIDCONs are those required conditions of preparedness to be attained by military forces in preparation for deployment to an area of operations in response to an actual or threatened civil disturbance.

(1) CIDCON 5 - Forces designated for civil disturbance operations are maintained in a normal training and preparedness status. Operating Agents/Supported CINCs designate units for civil disturbance operations within their respective AORs.

(2) CIDCON 4 - Increased monitoring and analysis of the civil disturbance situation and the initiation of detailed planning for civil disturbance operations. Requirements for reconnaissance by the JTF commander are established. Update unit movement requirements IAW Appendix 5, Annex D. Establish a tentative H-Hour when possible. Normally, designated ground and airlift forces will have 12 hours from initial notification (effective time) to the attainment of CIDCON 4 status (attainment time). Designated units will attain a CIDCON 4 as rapidly as possible when less than 12 hours is specified between the effective time and the attainment time for CIDCON 4. Upon attainment of CIDCON 4, designated airlift forces are prepared to depart the onload airfield(s) (wheels up by first aircraft at H-Hour) in 12 hours and/or designated forces are prepared to cross the start point (SP) (first vehicle, H-Hour) at home station in 12 hours.

(3) CIDCON 3 - An increase in designated GARDEN PLOT force preparedness to include possible prepositioning of airlift and forces at the onload airfield(s), if deploying by air. On attainment, forces to be transported via aircraft are prepared to complete loading in five hours and deploy (wheels up by first aircraft) one hour later. Surface transported forces are prepared to complete vehicle loading in five hours and cross the SP one hour later.

(4) CIDCON 2 - A further increase in the preparedness of designated GARDEN PLOT forces requiring the movement of units to the onload airfield and the initiation of aircraft loading for those forces to be transported via aircraft. On attainment, units have completed aircraft or vehicle loading to ensure ability to deploy first aircraft or cross SP in one hour.

(5) CIDCON 1 - Maximum force preparedness. CIDCON 1 will be directed one hour prior to H-Hour. On attainment of CIDCON 1, units have deployed first aircraft or crossed SP at H-Hour.

b. All times are expressed in ZULU date/time group (DTG).

c. Attainment Time. The directed not-later-than time at which designated GARDEN PLOT forces will achieve directed CIDCON posture.

d. Notification Time. The time of day at which the headquarters of uniformed services, unified commands, specified commands, and other DOD components having GARDEN PLOT responsibilities, acknowledge receipt of the directive to accomplish the action required for a particular CIDCON.

e. Effective Time. The time of day in which a specific CIDCON is ordered which authorizes execution of CIDCON actions.

f. Action Item. Specific action to be accomplished upon declaration of a CIDCON.

g. H-Hour. H-Hour is the time for deployment (wheels up) of first aircraft from onload airfield for air movement or first vehicle crossing SP at home station for motor movement to the AO. (The attainment of CIDCON 1 and H-Hour occur simultaneously; however, CIDCON 1 is directed one hour prior to H-Hour). An H-Hour will be established for each JTF deploying to an AO.

h. Airlift Control Element (ALCE). A team of specially trained USAF personnel who control, coordinate, and report airlift operations at an airfield.

i. Departure Airfield Control Group (DAAG)/Arrival Airfield Control Group (AACG). A team provided to exercise control of the units to be airlifted at the airfield during onloading/offloading operations ICW the ALCE. This team is provided by the CINC responsible for the airlift movement (either the operating Agent/Supported CINC or a supporting CINC).

j. GROWN TALL. GROWN TALL is the exercise term for CIDCON; e.g., GROWN TALL 4 equates to CIDCON 4.

5. DECLARATION AUTHORITY.

a. CIDCON changes will be issued upon order of the DOMS on behalf of the Executive Agent.

b. A cdr will not unilaterally increase the CIDCON of forces under his operational control above CIDCON 4. HQDA (ATTN: DAMO-ODS) will be notified immediately in case the CIDCON of a force is unilaterally increased from CIDCON 5 to CIDCON 4.

c. A commander may not decrease the CIDCON posture of his force without approval received via DOMS.

d. Redeployment information to federal forces in an AO will contain instructions which will revert employed forces to an appropriate CIDCON posture.

6. NOTIFICATION. Initial notification and subsequent changes in CIDCON postures will be sent via telephone and will be keyed to and confirmed by message format shown at Tab B.

7. REPORTING. Action addressees of DOMS-initiated CIDCON posture change messages will make the following reports via telephone and confirm by hard copy through GARDEN PLOT command channels to the DOMS.

a. Notification Report. ZULU DTG of receipt of each CIDCON message.

b. Attainment Report. ZULU DTG of attainment of force preparedness of directed CIDCON. In the event a delay is anticipated, addressees will report this fact through channels as soon as probable delay becomes apparent and will include the estimated ZULU DTG at which the force preparedness of the specified CIDCON will be attained.

8. CLASSIFICATION. CIDCON terms, definitions, declarations, taskings, and movement information that associate an increased force preparedness posture with a specific civil disturbance situation will be UNCLASSIFIED--FOR OFFICIAL USE ONLY unless directed otherwise by the Executive Agent. The association of a CIDCON with an exercise term is unclassified and does not require the protective markings FOR OFFICIAL USE ONLY.

9. EXERCISE PROCEDURES.

a. The DOMS may conduct, on a no-notice basis, exercises which direct headquarters of uniformed services, commands of prospective Operating Agents/Supported CINCS, and other DOD components having GARDEN PLOT responsibilities to assume a simulated increased preparedness for specified forces. Notification exercises will be identified by the use of the exercise term "GROWN TALL" in lieu of "CIDCON," both in telephonic, telefax, and teletype messages.

(1) The exercise message will originate from the Army Operations Center and will be passed to the appropriate addressees for action as prescribed by this plan, or as directed in the message.

(2) Exercises conducted to simulate increases in preparedness for training purposes will use established exercise terms only. Exercises are authorized using GROWN TALL-5 through GROWN TALL-1 simulated conditions. All exercises will terminate by instructing exercised units to revert to a GROWN TALL-5 posture.

(3) The time of notification of the JTF headquarters and brigades of the designated GARDEN PLOT forces(s) will be reported to HQDA (ATTN: DAMO-ODS).

b. A commander may conduct unilateral exercises for GARDEN PLOT forces under his operational control. The provisions of paragraph 9a(2), above, apply.

c. GARDEN PLOT exercises incorporated in a joint training exercise or similar exercise will use the term CIDCON provided that all messages are clearly identified as exercise messages.

Tabs: A - Civil Disturbance Condition Action Lists
 B - Sample Civil Disturbance Condition Message

TAB A (CIVIL DISTURBANCE CONDITION ACTION LISTS) TO APPENDIX 1
(CIVIL DISTURBANCE CONDITION) TO ANNEX A (TASK ORGANIZATION,
FORCES, AND REACTION TIMES) TO DEPARTMENT OF DEFENSE CIVIL
DISTURBANCE PLAN

CIDCON-5

1. EXERCISE TERM. GROWN TALL-5.
2. EXPLANATION OF TERMS. The normal preparedness which can be sustained indefinitely and which represents an optimum balance between the requirements of deployment preparedness and the routine training and equipping of forces for their assigned missions.
3. SITUATION. Normal.
4. ACTION LIST. Normal operations continue, plus the following when the situation requires:
 - a. Executive Agent (through DOMS).
 - (1) Provide policy and direction in all matters pertaining to planning, deployment, employment, and redeployment of military resources for civil disturbance operations.
 - (2) Order CIDCON-4 for appropriate units, alert and, if necessary, direct prepositioning actions for designated military resources in the event of actual or threatened civil disturbances. This action will occur in the appropriate CIDCON to enable forces to deploy at desired H-Hour.
 - (3) Devise command and control communications arrangements to ensure effective coordination and responsiveness among military activities designated for employment in the event of actual or threatened civil disturbance.
 - (4) Revise and coordinate all military directives, instructions, and plans affecting civil disturbance planning and operations.
 - (5) Inform Secretary of Defense and interested governmental agencies of changes in the civil disturbance situation.
 - (6) Publish H-Hour as soon as possible.
 - b. JCS. Be prepared to monitor the transfer of military resources assigned to unified and specified commands as requested by the Executive Agent. When applicable and ICW the Executive Agent, modify units designated by CINC.

c. DA/DN/DAF/USCG/USCINCTRANS.

(1) Continue normal operations and maintain an on-call 24-hour communications capability; be prepared to implement civil disturbance plans and increase preparedness on order.

(2) Maintain current unit movement data (UMD) for all GARDEN PLOT forces.

(3) Maintain coordination with other services, governmental agencies, and commands, as necessary.

d. Operating Agent(s)/Supported CINC(s).

(1) On request of DOMS, designate the JTF headquarters, the JTF commander, and units to comprise the JTF. (Force designation may include appropriate USMC forces in the JTF composition. The Operating Agent/Supported CINC will coordinate with the appropriate unified commanders, the Fleet Marine Force commanding general, and the appropriate Marine Division commanding general prior to nomination of USMC units.)

(2) As required, submit to the DOMS requirements for additional forces and other resources.

(3) Be prepared to receive military resources in support of civil disturbance operations as directed by the Executive Agent through the DOMS.

(4) As required, submit to USCINCTRANS any requirements for transport resources.

e. Supporting CINCs.

(1) Be prepared to release military resources in support of civil disturbance operations as directed by the Executive Agent through the DOMS. The Executive Agent will coordinate with JCS for this release prior to tasking. Forces provided may include appropriate USMC forces. The Supporting CINC will coordinate with the Fleet Marine Force commanding general and the appropriate marine Division commanding general prior to nomination of USMC units.

(2) As required, submit to USCINCTRANS any requirements for transport resources.

CIDCON-4

1. EXERCISE TERM. GROWN TALL-4.

2. EXPLANATION OF TERMS. A condition requiring increased monitoring and analysis of civil disturbance developments in an area. On attainment of CIDCON-4, ground and airlift forces have been designated and updated movement requirements have been submitted IAW Appendix 5 to Annex D. Upon attainment, designated airlift forces are prepared to depart the on-load airfield(s) (first aircraft is wheels up at H-Hour) in 12 hours.

3. SITUATION. A civil disturbance has developed in an area which could result in a requirement for federal assistance.

4. ACTION LIST. Actions to be taken to attain CIDCON-4:

a. DOD Executive Agent (through DOMS).

(1) See CIDCON-5 actions.

(2) Review contingency plans and modify or prepare new plans for the AO concerned.

(3) Advise the Attorney General of all plans which involve the possible prepositioning of ground force units and airlift assets or units. The Attorney General will obtain informal approval of the President for prepositioning of more than a battalion-sized unit (approximately 500 men) IAW the DOJ/DOD Interdepartmental Action Plan. (Actual prepositioning will be on order of the Secretary of Defense).

(4) Designate operating Agent/Supported CINC.

(5) Evaluate necessity for furnishing any information on the disturbance which may have been received from other federal agencies to the JTF commander.

(6) Review preparedness of designated JTF units.

b. JCS. Same as CIDCON-5 action.

c. DA. Be prepared to provide military resources to the Executive Agent, as required.

d. DN.

(1) Submit changes to the movement requirements for designated USMC GARDEN PLOT units to Operating Agent/Supported CINC IAW Appendix 5 to Annex D.

(2) Be prepared to provide military resources to the Operating Agent/Supported CINC, as required.

e. DAF. Be prepared to provide military resources to the Operating Agent/Supported CINC, as required.

f. USCINTRANS.

(1) Alert, as appropriate, designated airlift forces.

(2) Designate and deploy a Military Airlift Command (MAC) liaison officer and supporting staff, as required, with the JTF headquarters.

g. USCG. Be prepared to provide available waterside patrolling forces in support of civil disturbance operations, as requested.

h. Operating Agent/Supported CINC.

(1) Submit transport requirements for movement of JTF commander and selected staff for reconnaissance of the AO to USCINTRANS. As directed by the Executive Agent, JTF commander and his staff move to the AO, reconnoiter, and make appropriate recommendations to the Executive Agent as soon as possible following their arrival in the objective area.

(2) Submit changes to the movement requirements as appropriate, for designated GARDEN PLOT forces to the Army Operations Center IAW Appendix 5 to Annex D.

(3) Initiate preparation of designated JTFs for movement.

(4) Review CIDCON of any follow-on units which may be required by the situation.

(5) Recommend mode of travel and onload airfield, as required.

i. USAISC. Designate USAISC communication detachment(s) to Operating Agent/Supported CINC for movement to the AO on order.

j. DA/DN/DAF/USCG/Operating Agent-Supported CINC/USAISC/AMC.

(1) Report IAW paragraph 7, this appendix.

(2) Ensure alerted units increase their readiness posture IAW specified CIDCON.

(3) Be prepared to increase CIDCON preparedness on order.

A-1-A-4

CIDCON-3

1. EXERCISE TERM. GROWN TALL-3.
2. EXPLANATION OF TERMS. A condition that requires designated GARDEN PLOT forces and airlift support forces to assume an increased preparedness. On attainment of CIDCON-3, the designated force(s) is in a posture which will permit deployment from onload airfield (first aircraft, H-Hour) or crossing SP at home station (first vehicle, H-Hour) in six hours. CIDCON-3 will be ordered at the earliest possible time to allow consideration of requirements to assemble forces, position airlift, and permit necessary crew rest.
3. SITUATION. Situation in the disturbance area continues to deteriorate. The President or DOD Executive Agent has issued instructions to be prepared to deploy federal forces to the AO.
4. ACTION LIST. Actions to be taken to attain CIDCON-3:
 - a. Executive Agent (through DOMS).
 - (1) See previous CIDCON actions.
 - (2) Monitor preparedness of both airlift and GARDEN PLOT forces designated for civil disturbance operations.
 - (3) Ensure the increased flow of information to concerned commands concerning the civil disturbance situation in the AO.
 - b. JCS.
 - (1) Monitor the transfer of military resources among unified/specified commands for civil disturbance operations.
 - (2) Resolve conflicts between the need for military forces in civil disturbances and other requirements.
 - c. USCINCTrans.
 - (1) Provide airlift, as required, for designated forces.
 - (2) Preposition, if necessary, ALCE (to include air terminal support as required) and aircraft at the onload/offload airfields. Report to the Executive Agent any time that ALCE and aircraft are prepositioned or deployed from home station in support of GARDEN PLOT operations.
 - d. USCG. Support the Executive Agent with available resources, as requested.

e. Operating Agent/Supported CINC.

(1) Increase preparedness of GARDEN PLOT forces designated for the AO.

(2) Be prepared to preposition, if necessary, designated forces at onload airfield. Preposition forces at onload airfield if prepositioning is directed or required to meet attainment time for CIDCON-2.

(3) Preposition, if required, DACG and AACG.

(4) Report to the Executive Agent the status of preparedness of designated units.

(5) Review CIDCON of any follow-on units which may be required by the situation.

f. USAISC.

(1) Be prepared to preposition, if necessary, designated communication detachments at onload airfield. Report the status of preparedness of designated detachments to the Executive Agent and operating Agent/Supported CINC.

(2) Pass control of designated detachments to Operating Agent/Supported CINC for movement to the AO upon arrival of detachments at onload airfields for air movement, or when first vehicle crosses the SP at home station for surface movement.

g. Supporting CINCs.

(1) Increase preparedness of GARDEN PLOT forces designated for the AO.

(2) Be prepared to preposition, if necessary, designated forces at on-load airfield. Preposition forces at onload airfield if prepositioning is directed or required to meet attainment time for CIDCON-2.

(3) Preposition, if required, DACG and AACG.

(4) Report to the Operating Agent/Supported CINC the status of preparedness of designated units.

h. DN/DAF/USCG/USAISC/AMC/Operating Agent/Supporting CINCs.

(1) Report IAW paragraph 7, this appendix.

(2) Be prepared to increase CIDCON preparedness on order.

CIDCON-2

1. EXERCISE TERM. GROWN TALL-2.

2. EXPLANATION OF TERMS. A condition that requires designated GARDEN PLOT forces to prepare to deploy to the AO by air or surface in one hour. Air movement forces arrive at on-load airfields and then load initial aircraft within one additional hour. Five hours after notification time, airlift and JTF units must attain CIDCON-2. Once CIDCON-2 is attained, airlift and JTF units must be prepared to deploy initial aircraft or cross SP for surface move to AO in one hour.

3. SITUATION. Situation in the disturbance area continues to deteriorate. Deployment of federal forces to the disturbance area has become probable, and movement to the onload airfield has been authorized and directed by the Executive Agent.

4. ACTION LIST. Actions to be taken to attain CIDCON-2:

a. Executive Agent (through DOMS).

(1) See previous CIDCON actions.

(2) Monitor the preparedness of the designated JTF units and airlift support.

(3) When decision is made to deploy designated GARDEN PLOT forces, issue CIDCON-1 (deployment order) message.

b. JCS. Same as CIDCON-3 actions.

c. DA/DN/DAF/USAISC. Provide support as required by the Executive Agent.

d. Operating Agent/Supported CINC and Supporting CINCs.

(1) Deploy designated ground forces to the onload airfield as necessary to depart at H-Hour.

(2) Review CIDCON of any additional units which may be required by the situation.

(3) Ensure designated ground forces and airlift support are prepared, on order, to deploy first aircraft or cross the SP at H-Hour.

(4) Report IAW paragraph 7, this appendix.

(5) Upon attainment of CIDCON-2, be prepared to attain CIDCON-1 in one hour.

e. USCINCTRANS. Deploy the necessary aircraft to the onload airfield to airlift the designated ground forces to meet H-Hour deployment criteria.

f. USCG. Provide available support as requested by the Executive Agent.

CIDCON-1

1. EXERCISE TERM. GROWN TALL-1.

2. EXPLANATION OF TERMS. This is a "DEPLOYMENT ORDER". A maximum state of readiness requiring designated GARDEN PLOT forces to initiate movement to the AO by air or surface on hour after CIDCON-1 is ordered. On attainment of CIDCON-1, designated forces have deployed (wheels up) first aircraft or crossed SP by surface for the objective area. Attainment of CIDCON-1 is H-Hour. Orders to initiate civil disturbance operations in the AO will be provided under a separate execution order (see Appendix 6 to Annex C).

3. SITUATION. Situation in the disturbance area has deteriorated to the point that movement to there by GARDEN PLOT forces is directed by the Executive Agent on order of the President.

4. ACTION LIST. Actions to be taken to attain CIDCON-1.

a. Executive Agent (through DOMS).

(1) See previous CIDCON actions.

(2) Review CIDCON status of designated forces to ensure deployment preparedness.

(3) Review requirements for additional forces and advise supporting CINCS following coordination with JCS of appropriate action.

b. JCS. Same as CIDCON-2 actions.

c. DA/DN/DAF/USAISC. Continue support as required by DOD Executive Agent.

d. USCINCTRANS. Complete loading of personnel/equipment and deploy (wheels up) first aircraft at H-Hour from on-load aircraft to move designated ground forces to AO.

- e. Operating Agent/Supported CINC and Supporting CINCs.
- (1) For an air movement, complete loading of lead elements and deploy forces at H-Hour from on-load airfield to the AO.
 - (2) For a surface movement, complete loading of personnel and equipment and commence moving ground forces through SP at H-Hour.
 - (3) Report status of designated forces to the Executive Agent.
 - (4) Review CIDCON of any follow-on units which may be required by the situation.
 - (5) Be prepared to support operations with additional forces and other resources.
- f. USCG. Provide available assistance to JTF commander in the AO as requested.

TAB B (SAMPLE CIVIL DISTURBANCE CONDITION MESSAGE) TO APPENDIX 1
(CIVIL DISTURBANCE CONDITION) TO ANNEX A (TASK ORGANIZATION,
FORCES, AND REACTION TIMES) TO DEPARTMENT OF DEFENSE CIVIL
DISTURBANCE PLAN

FROM SA WASH DC

TO [OPERATING AGENT/SUPPORTED CINC]

INFO SECDEF WASH DC

CJCS WASH DC

CSA WASH DC

CNO WASH DC

CSAF WASH DC

CMC WASH DC

COMDT COGARD WASH DC

USCINTRANS SCOTT AFB IL,

CDRFORSCOM FT MCPHERSON GA

CINCSAC OFFUTT AFB NE

(OTHER SUPPORTING CINCS]

CDRAMC ALEXANDRIA VA

CDRUSAISC FT HUACHUCA AZ

CDRUSACE WASH DC

CNGB WASH DC

HQ MAC SCOTT AFB IL//DO/TR//

CDR MDW WASH DC [FOR DISTURBANCES IN WASHINGTON, D.C.]

CDRMTMC FALLS CHURCH VA

CDR7THSIGCMD FT RITCHIE MD

DIRMILSPT WASH DC

JOINT STAFF WASH DC//J3//J4//J5//

DMA WASH DC

DCA WASH DC

DIS WASH DC

DIA WASH DC

DLA CAMERON STA VA

HQDA WASH DC//SAILE/SAFM/SAPA/SALL/SAGC/SAIS/DALO-PLO/

DALO-SMS/DALO-TSP/DALO-TST/DASG-HCO/DAJA-AL/DAPE-ZX/

DAMI/DAEN/DAAR/DAMO-ODS/DAMO-ODS-AOC//

WHITE HOUSE SITUATION ROOM WASH DC

NMCC WASH DC

DEPT OF JUSTICE COMMAND CENTER WASH DC

CSAF WASH DC//XOOTA//

[OTHER COMMANDS/AGENCIES/ORGANIZATIONS, AS APPROPRIATE]

[SEE NOTE 1]

UNCLASSIFIED FOUO

SUBJECT: CIVIL DISTURBANCE CONDITION (CIDCON) [CIDCON LEVEL]

(GARDEN PLOT) (U)

A. DEPARTMENT OF THE ARMY CIVIL DISTURBANCE PLAN (GARDEN PLOT), 1 JUNE 1990.

1. JTF [JTF DESIGNATION].

A. BRIGADES [FORCES COMPRISING JTF].

B. USAISC DET [AUGMENTING DETACHMENTS PROVIDED BY USAISC].

2. CIDCON [CIDCON LEVEL] [SEE NOTE 2] FOR UNITS IN PARAGRAPH 1 ABOVE.

3. EFFECTIVE/ATTAINMENT TIMES.

- A. EFFECTIVE TIME OF CIDCON: [DTG] ZULU.
- B. ATTAINMENT TIME NLT: [DTG] ZULU.
4. CIVIL DISTURBANCES CONTINUE IN [CITY'S NAME], [STATE'S/ TERRITORY'S NAME]. LOCAL AND STATE LAW ENFORCEMENT AGENCIES HAVE BEEN UNABLE TO SUPPRESS THE VIOLENCE AND RESTORE LAW AND ORDER.
5. MODE OF TRANSPORTATION: [MODE, IF KNOWN]. [NOTE 3]
- A. ONLOAD AIRFIELD: [NAME AND LOCATION OF AIRFIELD].
- B. OFFLOAD AIRFIELD: [NAME AND LOCATION OF AIRFIELD].
6. H-HOUR [IF KNOWN FOR LEAD ELEMENT]: [DTG] ZULU. [NOTE 4]
7. REPORT CIDCON ATTAINMENT TIME AND DELAYS OF DESIGNATED UNITS. PREPARE TO RECEIVE CIDCON [CIDCON LEVEL] ORDER.
- [NOTE 5]
8. ACTION ADDRESSEES ACKNOWLEDGE.

NOTE 1: Include U.S. Commander-in-Chief, Europe (USCINCEUR) as an information addressee when REFORGER units are affected. When Fleet Marine Force units are involved, include the following USMC commanders, as appropriate, for the area concerned: Fleet Marine Force; Marine Division; Marine Air Wing; Cdr, Marine Corps Air Bases.

NOTE 2: If units must be placed on a 24-hour or less alert status during CIDCON 5, that action will be directed in this message.

NOTE 3: Mode (whether air or surface) for movement of forces to AO(s) will be specified. If mode is not by air, in lieu of onload/offload airfield, specify applicable information, e.g. start point and release point (Additional information to provide further clarification will be included in this message, as required).

NOTE 4: This will be established for the lead element of a JTF and stated in the earliest possible CIDCON message.

NOTE 5: Standby entry as shown. May be expanded to include all necessary CIDCON implementing instructions or to request additional information, for example:

A. OPERATING AGENT/SUPPORTED CINC AND USCINCTrans: TAKE ACTIONS TO AIRLIFT JTF [JTF DESIGNATION] FROM [NAME AND LOCATION OF AIRFIELD] TO [NAME AND LOCATION OF AIRFIELD] BEGINNING AT H-HOUR (WHEELS UP--FIRST AIRCRAFT). PROVIDE FOR CONTINUOUS AIRLIFT STREAM WITH 10-MINUTE INTERVALS. REPORT SIGNIFICANT STATUS OF PREPARATION OF UNITS AND MOVEMENT IN ACCORDANCE WITH ANNEX J OF REFERENCE A. AIRLIFT OF FORCES WILL BE UNDER [AIRLIFT MOVEMENT PRIORITY] PRIORITY.

B. THIS MESSAGE DOES NOT CHANGE THE CURRENT REQUIREMENT FOR MAINTAINING ONE QRF FOR DEPLOYMENT. THEREFORE, PLANS WILL BE DEVELOPED TO PROVIDE FOR MOVEMENT OF THE QRF USING AIRLIFT ASSETS OTHER THAN THOSE REQUIRED TO LIFT JTF [JTF DESIGNATION].

C. THE ESTABLISHMENT AND POSSIBLE DEPLOYMENT OF JOINT TASK FORCE IS DESIGNATED FOR OFFICIAL USE ONLY. EVERY EFFORT WILL BE MADE TO AVOID PROVOKING PRESS SPECULATION CONCERNING THIS OPERATION. NO COMMENTS WILL BE MADE TO THE PRESS UNTIL FURTHER NOTICE. QUERIES CONCERNING POSSIBLE EMPLOYMENT OF MILITARY FORCES WILL BE ANSWERED AS FOLLOWS: DEPARTMENT OF DEFENSE POLICY IS NOT TO COMMENT ON PLANS CONCERNING THE POSSIBLE EMPLOYMENT OF MILITARY UNITS AND RESOURCES TO CARRY OUT AN ASSIGNED MISSION.

D. OPERATIONAL CONTROL OF FORCES PASSES FROM [CINC RESPONSIBLE FOR MOVEMENT] TO OPERATING AGENT/SUPPORTED CINC

EFFECTIVE ON ARRIVAL OF THE JOINT TASK FORCE ELEMENTS IN THE
AREA OF OPERATIONS.

E. OPERATING AGENT/SUPPORTED CINC IS AUTHORIZED DIRECT
COORDINATION AS REQUIRED WITH OTHER AGENCIES, WITH INFO TO
DIRMILSPT WASH DC.

F. THE DEPLOYMENT OF JOINT TASK FORCE [JTF DESIGNATION]
IS BY EXECUTIVE DIRECTION.

G. FOR OPERATING AGENT/SUPPORTED CINC: REPORT NOMINATED
FORCES BY UNIT DESIGNATION.

ANNEX B (INTELLIGENCE) TO DEPARTMENT OF THE ARMY CIVIL DISTURBANCE PLAN

1. REFERENCES.

a. DOD Directive 5240.1-R, Procedures Governing the Activities of DOD Intelligence Components that Affect United States Persons.

b. AR 190-45, Law Enforcement Reporting.

c. AR 380-13, Acquisition and Storage of Information Concerning Non-Affiliated Persons and organizations.

d. AR 381-10, U.S. Army Intelligence Activities.

2. SITUATION. The responsibility for the management of the federal response to civil disturbances in the United States, its possessions, and its territories, rests with the Attorney General. The Attorney General coordinates all federal government activities during a domestic commitment of military forces in response to a civil disturbance situation. Within DOJ, the lead agency for the operational response to a civil disturbance incident is the FBI. In light of this, the DOJ is the primary federal agency responsible for the collection, use, retention and dissemination of civil disturbance information.

3. PLANNING. Acquisition and maintenance of the following information by the appropriate command is authorized when acquired by consent or through publicly available sources:

a. An up-to-date list of the names and positions of local, state, and federal officials whose duties are directly related to the control of civil disturbances, as authorized by reference 1c.

b. Information on public, commercial, and private facilities that are assessed by federal or state law enforcement authorities as targets for persons and organizations engaged in civil disorders after declaration of a federal emergency, as authorized by references 1a, 1c, and 1d.

4. EXECUTION. Collection, retention, and dissemination of information by DOD intelligence components concerning U.S. persons or groups responsible for, or participating in, such civil disturbances will be limited to situations where such persons or groups reasonably pose a threat to the physical security of DOD employees, installations, operations, or official visitors.

a. In almost all circumstances, while the civil disturbance will have threatened or caused a temporary absence of civil

authority, the actions of the dissident elements will not pose a direct threat to DOD. In this situation, the activities of intelligence personnel and units will be extremely limited and be bound by the restrictions contained in Executive Order 12333, reference 1a, and its Army implementation, reference 1b. In such a situation, the information collected and disseminated on persons and groups breaking the law will be treated as criminal information (IAW reference 1c) and not as intelligence data.

b. While Executive Order 12333, and references a. and d. have been cited above, it must be noted that many of the restrictions imposed on DOD intelligence components are designed to protect the rights of U.S. persons derived from the Constitution and Bill of the Rights as well as other statutory and regulatory documents. As such, these basic rights and freedoms cannot and will not be rescinded merely because an emergency has been declared.

c. In all cases, no information will be collected by intelligence elements about a person or organization solely because of unlawful advocacy of measures in opposition to government policy.

d. Should the actions of the persons or groups causing, or participating in, the disturbance specifically threaten the physical safety of DOD employees, installations, operations, or official visitors, collection activities by DOD intelligence components will still be limited to the use of the least intrusive means. In such cases, this will generally equate to soliciting information from publicly available information and cooperating sources such as federal, state, and local law enforcement agencies.

5. MAPS AND AERIAL PHOTOS.

a. Maps required and available, less those under DA control at the Defense Mapping Agency Topographical Center, will be distributed as requested by the Operating Agent/Supported CINC.

b. Requests for aerial reconnaissance will be forwarded to the Operating Agent/Supported CINC for approval and forwarding to Air Force Airlift Readiness Section (ARS). An information copy of the request will be sent to the DOMS and to HQDA (ATTN: DAMI-POI). The following information should be included in any aerial reconnaissance request:

- (1) FROM (Requesting Agency).
- (2) DTG OF REQUEST.
- (3) TO (Agency receiving request).

- (4) TYPE OF RECONNAISSANCE (Photo, visual, other).
- (5) MAP SERIES AND SHEET NUMBER.
- (6) DESCRIPTION OF TARGET AND RESULTS DESIRED.
- (7) OBJECTIVE OF REQUEST AND RESULTS DESIRED.
- (8) NUMBER OF PRINTS, PLOTS, MOSAICS, AND/OR REPORTS REQUIRED.
- (9) DELIVERY ADDRESS, DATE, AND TIME.
- (10) LATEST ACCEPTABLE TIME AND DATE.
- (11) SPECIAL INSTRUCTIONS: TIME ON TARGET (TOT) OR OTHER SPECIAL INSTRUCTIONS.

c. See Annex I for map requirements for planning.

ANNEX C (CONCEPT OF OPERATIONS) TO DEPARTMENT OF DEFENSE CIVIL
DISTURBANCE PLAN

1. GENERAL.

a. Single or multiple civil disturbances may develop within the 50 States, District of Columbia, Commonwealth of Puerto Rico, U.S. territories, or U.S. possessions. The commitment of federal military forces for domestic civil disturbance operations is directed by the President. When commitment of federal military forces is directed, the Operating Agent/Supported CINC employs assigned resources in civil disturbance operations within his AOR. Military resources from the military departments, DOD agencies, and the unified and specified commands are transferred to the operating Agent/Supported CINC, as required. Transfer of resources from the unified and specified commands will be closely coordinated with JCS. When the intention to employ resources in civil disturbance operations is made known by the Executive Agent to the military departments, JCS, and commanders concerned, silence on their part signifies concurrence to employ such resources. Concurrent with or following Presidential direction to commit federal military forces to domestic civil disturbance operations, designated National Guard units may be called to active federal service for employment by the Operating Agent/supported CINC.

b. Probable order of employment of available forces:

(1) Local and state police.

(2) National Guard under the Governor's control for state active duty service.

(3) Federal civil law enforcement officials.

(4) Federal military forces (to include National Guard called to active federal service).

c. The situation existing at the time of the disturbance may require that the above order for employing forces be altered.

d. The Executive Agent exercises direction of all forces employed in domestic civil disturbance operations through the Operating Agent/Supported CINC. The Operating Agent/Supported CINC designates his JTF commander and provides resources for civil disturbance operations from his own assets, requesting augmentation as necessary. Control of civil disturbance operations in an AO is exercised through the JTF commander who commands all military forces committed in that AO.

e. The JTF commander appointed by the Operating Agent/Supported CINC should normally be a general/flag officer from the active component. This commander should but is not required to come from the service providing the preponderance of the JTF.

f. Military forces employed in domestic civil disturbance operations will be task-organized and operate with the minimum essential equipment needed to carry out the JTF mission.

g. In the event forces are transferred between CINCs for civil disturbance operations:

(1) Operational control of reinforcing forces assigned to a Supporting CINC is with that Supporting CINC for deployment and with the Operating Agent/Supported CINC for employment and redeployment.

(2) CINCs will submit airlift requirements to USCINCTrans with information copies to the Executive Agent and JCS (J3).

(3) Operational control for airlift resources provided by USCINCTrans remains with USCINCTrans. Airlift resources entering the AOR of the Operating Agent/Supported CINC will be prioritized by the Operating Agent/Supported CINC.

(4) Operational control during deployment of National Guard units called to federal service is with U.S. Army Forces Command for CONUS and the Caribbean and with U.S. Army Western Command for the Pacific.

h. This plan applies to and provides the basis for all preparation, deployment, employment, and redeployment of designated forces, including National Guard called to active federal service, for use in domestic civil disturbance operations as directed by the President.

2. OPERATIONS.

a. When commitment of federal military forces to civil disturbance operations appears probable, a task-organized joint staff is formed to support direction of the civil disturbance operation at DOD level. This staff is manned by representatives from the military departments and by liaison officers from the Joint Staff, the headquarters of the Operating Agent/Supported CINC, DOJ, and any other key commands, agencies, and organizations. This staff locates in the Army Operations Center at the Pentagon and is under the overall direction of the DOMS, an Army major general, and the Deputy DOMS, an Air Force brigadier general.

b. The Executive Agent initiates airlift and force preparedness measures applicable to all services and to all unified and specified commands as far in advance as possible. When a possible requirement for federal troops is indicated, the Executive Agent may increase the CIDCON of forces via message (see TAB B, Appendix 1, Annex A). When commitment of federal troops is probable, the Executive Agent publishes an alert order to his designated Operating Agent/Supported CINC (see Appendix 1, this annex). This order directs the Operating Agent/ Supported CINC to prepare to conduct civil disturbance operations and, on order, to initiate a reconnaissance of the AO.

c. On order of the Executive Agent, the Operating Agent/Supported CINC initiates a reconnaissance of the AO employing the JTF commander and his staff as the reconnaissance element. This reconnaissance will be used by the Operating Agent/Supported CINC to make recommendations as soon as possible concerning use of federal military forces. These recommendations will be made ICW the SCRAG. This reconnaissance is performed in civilian clothing using non-military transportation and communications equipment. The Executive Agent notifies the governor of this reconnaissance (see Appendix 3, this annex).

d. The President issues a proclamation directing that all persons engaged in unlawful obstructions to justice to cease and desist, disperse, and retire peaceably (see Appendix 4, this annex). The President then issues an Executive Order directing the employment of federal military forces (see Appendix 5, this annex).

e. Following the President's Executive Order, the Executive Agent publishes an execution order (see Appendix 6, this annex) directing the Operating Agent/Supported CINC to conduct civil disturbance operations in accordance with the alert order.

f. Domestic civil disturbance operations are conducted in three phases: Deployment (Phase I), Employment (Phase II), and Redeployment (Phase III). These operations will be conducted as follows:

(1) Phase I - Deployment

(a) Upon initiation of civil disturbance operations, the Executive Agent: directs the Operating Agent/Supported CINC to preposition military forces near AOs or to move such forces into AOs; alerts USCINTRANS to provide required transport; tasks the military departments and other DOD components for military resources as planned and required; informs the military departments, JCS, and commanders of unified and specified commands of actual or potential loss of military resources; and transmits messages announcing the calling of designated National Guard

units into federal service to the appropriate state governor and others concerned (see Appendix 7, this annex).

(b) The Operating Agent/Supported CINC: designates the JTF commander for civil disturbance operations for each objective area within his AOR; designates assigned units to comprise the JTF; ensures preparedness of these forces for movement; submits airlift and surface transportation requirements to USCINCTrans; and, on order, deploys assigned forces to the AO and passes operational control of forces to the JTF commander for the AO.

(c) Supporting CINCs: provide units to augment the forces of the Operating Agent/Supported CINC; nominate JTF commanders for augmenting forces as tasked; provide surface transportation for designated forces; submit transportation requirements to USCINCTrans; and, on order, deploy forces to the AO and passes operational control of the designated forces to the gaining command in the AO.

(d) DN: provides resources as directed by the Executive Agent; submits airlift and surface transportation requirements to the Executive Agent.

(e) DAF: provides resources as directed by the Executive Agent; submits airlift and surface transportation requirements to the Executive Agent; and recommends units of the Air National Guard to be called to active federal service, as required.

(f) CDR, USAISC: designates communications detachments to support JTF, as required; ensures preparedness of USAISC units for movement; plans for and submits airlift and surface transportation requirements to the Executive Agent for designated detachments; and passes operational control to the Executive Agent for movement to and from the AO and operational responsibility to the JTF commander in the AO.

(2) Phase II - Employment. The JTF commander has operational control (OPCON) of all military forces in the AO and accomplishes the JTF mission. Logistical support for all forces in AOs is provided by the Operating Agent/Supported CINC using available resources of all services with augmentation as required.

(3) Phase III - Redeployment. The Operating Agent/Supported CINC recommends the effective times and dates for redeployment to the Executive Agent. This recommendation is made in consultation with his JTF commander and his counter-parts from DOJ. On order of the Executive Agent, the operating Agent/Supported CINC terminates the commitment of federal forces

at the date and time specified by the Executive Agent. The Operating Agent/Supported CINC redeploys these forces to their home stations. Upon completion of redeployment, control of augmenting forces is transferred to their respective commands/states.

3. COORDINATION WITH STATE AND MUNICIPAL OFFICIALS. The Operating Agent/Supported CINC ensures that the JTF headquarters establishes and maintains liaison with state (to include the Adjutant General's office) and municipal officials, as required. This liaison will establish working relationships and arrangements as deemed suitable for the area in anticipation of a possible commitment of federal military forces to civil disturbance operations. This liaison will be maintained until termination of civil disturbance operations in the AO. Potential problem areas which cannot be resolved at the JTF's level will be submitted for resolution to the Operating Agent/Supported CINC or Executive Agent, as appropriate.

4. SPECIAL INSTRUCTIONS. Appendix 8 of this annex provides special instructions to guide the conduct of civil disturbance operations. Special instructions will be issued by the Executive Agent to assist the Operating Agent/Supported CINC in civil disturbance operations, as appropriate. See Rules of Engagement (ROE) portion of alert message at paragraph 13f of Appendix 1, this annex).

- Appendixes:
- 1 - Alert Order
 - 2 - Reconnaissance by Joint Task Force Commander
 - 3 - Notification of Reconnaissance by Joint Task Force Commander
 - 4 - Presidential Proclamation
 - 5 - Presidential Executive order
 - 6 - Execution Order
 - 7 - Calling of Army and Air National Guard Units into Federal Service
 - 8 - Special Instructions

APPENDIX 1 (ALERT ORDER) TO ANNEX C (CONCEPT OF OPERATIONS) TO
DEPARTMENT OF DEFENSE CIVIL DISTURBANCE PLAN

FROM SA WASH DC

TO [OPERATING AGENT/SUPPORTED CINC]

INFO SECDEF WASH DC

CJCS WASH DC

CSA WASH DC

CNO WASH DC

CSAF WASH DC

CMC WASH DC

COMDT COGARD WASH DC

USCINCTrans SCOTT AFB IL

[OTHER SUPPORTING CINCS]

CINCSAC OFFUTT AFB NE

CDRAMC ALEXANDRIA VA

CDRUSAISC FT HUACHUCA AZ

USACE WASH DC

CNGB WASH DC

CDR JTF MDW WASH DC [WHEN CDR MDW IS JTF COMMANDER]

HQ MAC SCOTT AFB IL //DO/TR//

CDRMTMC FALLS CHURCH VA

CDR7THSIGCMD FT RITCHIE MD

DIRMILSPT WASH DC

JOINT STAFF WASH DC//J3/J4/J5//

DMA WASH DC

DCA WASH DC

DIS WASH DC

DLA CAMERON STA VA

DIA WASH DC

HQDA WASH DC//SAILE/SAFM/SAPA/SALL/SAGC/SAIS/DALO-PLO/

DALO-SMS/DALO-TSP/DALO-TST/DASG-HCO/DAJA-AL/DAPE-ZX/

DAMI/DAEN/DAAR/DAMO-ODS/DAMO-ODS-AOC//

WHITE HOUSE SITUATION ROOM WASH DC

NMCC WASH DC

DEPT OF JUSTICE COMMAND CENTER WASH DC

CSAF WASH DC//XOOTA//

[OTHER COMMANDS/AGENCIES/ORGANIZATIONS, AS APPROPRIATE]

[CLASSIFICATION]

SUBJECT: CIVIL DISTURBANCE OPERATIONS (GARDEN PLOT) (U)

A. DEPARTMENT OF DEFENSE CIVIL DISTURBANCE PLAN (GARDEN PLOT),
5 JULY 1990.

1. () THIS IS AN ALERT ORDER. CIVIL LAW AND ORDER HAVE
SERIOUSLY DETERIORATED IN [AO]. THIS CIVIL DISTURBANCE HAS
SERIOUSLY ENDANGERED LIFE AND PROPERTY AND HAS DISRUPTED NORMAL
GOVERNMENT FUNCTIONS TO SUCH AN EXTENT THAT THE DULY CONSTITUTED
LOCAL AUTHORITIES ARE UNABLE TO CONTROL THE SITUATION. IT IS
THEREFORE PROBABLE THAT THE PRESIDENT OF THE UNITED STATES WILL
DIRECT THAT DOD EMPLOY MILITARY UNITS TO RESTORE LAW AND ORDER
IN [AO].

2. WHEN DIRECTED BY THE PRESIDENT, THE SECRETARY OF DEFENSE IS
AUTHORIZED TO EMPLOY ACTIVE FEDERAL MILITARY FORCES FOR

DOMESTIC CIVIL DISTURBANCE OPERATIONS IN SUPPORT OF CIVIL LAW ENFORCEMENT AGENCIES. THE SECRETARY OF THE ARMY IS THE DOD EXECUTIVE AGENT FOR ALL MATTERS PERTAINING TO THE PLANNING FOR, AND THE DEPLOYMENT AND EMPLOYMENT OF FEDERAL MILITARY FORCES FOR DOMESTIC CIVIL DISTURBANCES. HIS ACTION AGENT TO COORDINATE DOD CIVIL DISTURBANCE OPERATIONS IS THE DIRECTOR OF MILITARY SUPPORT (DOMS).

3. () DEPARTMENT OF JUSTICE IS LEAD FEDERAL AGENCY FOR REESTABLISHING AND MAINTAINING LAW AND ORDER IN [AO]. THE SENIOR CIVILIAN REPRESENTATIVE OF THE ATTORNEY GENERAL (SCRAG) FOR FEDERAL CIVIL DISTURBANCE OPERATIONS IN [AO] IS [NAME]. HIS LOCATION IS [SCRAG'S LOCATION]. HIS MESSAGE ADDRESS IS [SCRAG'S MESSAGE ADDRESS]. TELEPHONE IS AUTOVON ____-____ OR COMMERCIAL (____) ____-____). UNSECURE FACSIMILE IS AUTOVON ____-____ OR COMMERCIAL (____) ____-____). SECURE FACSIMILE IS AUTOVON ____-____ OR COMMERCIAL (____) ____-____).

4. () THE SITE OF THESE CIVIL DISTURBANCES FALLS WITHIN YOUR GEOGRAPHICAL AREA OF RESPONSIBILITY (AOR). IN ANTICIPATION OF A PRESIDENTIAL EXECUTIVE ORDER TO COMMIT ACTIVE FEDERAL MILITARY FORCES IN [AO1] TO HELP RESTORE LAW AND ORDER, I AM DESIGNATING YOU AS MY OPERATING AGENT FOR CIVIL DISTURBANCE OPERATIONS INVOLVING FEDERAL MILITARY FORCES WITHIN YOUR AOR.

5. () ON ORDER, DEPLOY MILITARY UNITS TO [AO] TO RESTORE LAW AND ORDER AND RETURN CONTROL TO LOCAL GOVERNMENT AUTHORITIES.

6. () [COMMAND OF OPERATING AGENT/SUPPORTED CINC]. DESIGNATE A JOINT TASK FORCE (JTF) COMMANDER AND JTF HEADQUARTERS; INFORM EXECUTIVE AGENT OF THESE DESIGNATIONS NLT [TIME]Z [MONTH] 19__. ESTABLISH LIAISON WITH SCRAG. PREPARE TO INCREASE CIVIL DISTURBANCE CONDITION (CIDCON) IAW ANNEX A OF REFERENCE A ON ORDER. PREPARE FOR RECONNAISSANCE OF AREA OF OPERATIONS BY JTF COMMANDER; CONDUCT RECONNAISSANCE ON ORDER; IDENTIFY MAP REQUIREMENTS. PROVIDE FORCES TO CONSTITUTE JTF. IDENTIFY SUPPORT REQUIREMENTS. FORWARD REQUESTS FOR AUGMENTING RESOURCES (TO INCLUDE REQUESTS FOR GARDEN PLOT CONTINGENCY EQUIPMENT AND FOR RESOURCES CONTROLLED BY SUPPORTING CINCS AND MILITARY DEPARTMENTS) TO EXECUTIVE AGENT. ESTABLISH LIAISON WITH FEDERAL, STATE, AND LOCAL OFFICIALS AS NECESSARY TO PREPARE FOR MISSION. FOLLOWING PRESIDENTIAL EXECUTIVE ORDER TO EMPLOY FEDERAL MILITARY FORCES, AND ON ORDER OF THE EXECUTIVE AGENT, CONDUCT CIVIL DISTURBANCE OPERATIONS IN [AO] IN SUPPORT OF FEDERAL LAW ENFORCEMENT OFFICIALS.

7. () DEFENSE INVESTIGATIVE SERVICE. PROVIDE INFORMATION TO EXECUTIVE AGENT AND [OPERATING AGENT/SUPPORTED CINC] AS REQUIRED TO SUPPORT SECURITY AND PROTECTION OF KEY FACILITIES VICINITY [AO].

8. () DEFENSE MAPPING AGENCY. IDENTIFY MAPS THAT ENCOMPASS [AO], STOCKS AVAILABLE, AND STOCKAGE LOCATIONS. PROVIDE THIS INFORMATION TO [OPERATING AGENT/SUPPORTED CINC] NLT THAN [TIME]Z [MONTH] 19__.

9. () CINCFOR. IDENTIFY THOSE FACILITIES VICINITY [AO] THAT ARE ON DOD KEY FACILITIES LIST. FORWARD THIS INFORMATION TO EXECUTIVE AGENT AND [OPERATING AGENT/SUPPORTED CINC] NLT THAN [DATE-TIME]Z [MONTH] 19__.

10. () USCINTRANS. PROVIDE TRANSPORTATION SUPPORT AS REQUIRED.

11. () CINCSAC. PROVIDE AIR REFUELING SUPPORT AS REQUIRED.

12. () CDR, USAISC. PREPARE FOR DEPLOYMENT OF [NUMBER] COMMUNICATIONS DETACHMENT(S) ON ORDER TO SUPPORT JTF COMMANDER IN [AO].

13. () COORDINATING INSTRUCTIONS.

A. () DEPLOYMENT PREPARATION INSTRUCTIONS WILL BE PUBLISHED UNDER SEPARATE CIVIL DISTURBANCE CONDITION (CIDCON) MESSAGE.

B. () DURATION OF OPERATION: NOT TO EXCEED [NUMBER] DAYS.

C. () USCINTRANS WILL COORDINATE DEPLOYMENTS AS REQUIRED BY THE OPERATING AGENT/SUPPORTED CINC, SUPPORTING CINCS, AND TRANSPORTATION COMPONENT COMMANDS.

D. () ALL DOD ADDRESSEES PREPARE TO EXECUTE TASKS AS SPECIFIED AT REFERENCE A.

E. () MILITARY FORCES WILL BE PREPOSITIONED ONLY WITH APPROVAL OF SECDEF AND ON ORDER OF EXECUTIVE AGENT.

F. () RULES OF ENGAGEMENT (ROE). IN THE EVENT THAT THE JTF IS ORDERED TO CONDUCT CIVIL DISTURBANCE OPERATIONS, THE FOLLOWING ROE WILL BE FOLLOWED:

(1) APPLICATION OF FORCE.

(A) IN PERFORMING ITS MISSION, THE JTF MAY FIND IT NECESSARY TO BE ACTIVELY INVOLVED IN HELPING TO PREVENT CRIMINAL ACTS AND IN HELPING TO DETAIN THOSE RESPONSIBLE FOR THEM. THIS ACTIVE INVOLVEMENT IS AUTHORIZED, SUBJECT TO THE RESTRAINTS ON THE USE OF FORCE SET FORTH BELOW.

(B) THE PRIMARY RULE WHICH GOVERNS THE ACTIONS OF FEDERAL FORCES IN ASSISTING FEDERAL AND LOCAL AUTHORITIES TO RESTORE LAW AND ORDER IS THAT AT ALL TIMES ONLY THE MINIMUM FORCE IS USED AS REQUIRED TO ACCOMPLISH THE MISSION. THIS PARAMOUNT PRINCIPLE SHOULD CONTROL BOTH THE SELECTION OF APPROPRIATE OPERATIONAL TECHNIQUES AND TACTICS, AND THE CHOICE OF OPTIONS FOR ARMING THE TROOPS. PURSUANT TO THIS PRINCIPLE, THE USE OF DEADLY FORCE (I.E., LIVE AMMUNITION OR ANY OTHER TYPE OF PHYSICAL FORCE LIKELY TO CAUSE DEATH OR SERIOUS BODILY HARM) IS AUTHORIZED ONLY UNDER EXTREME CIRCUMSTANCES WHERE CERTAIN SPECIFIC CRITERIA ARE MET AS SET FORTH BELOW. TO EMPHASIZE LIMITATIONS ON USE OF FIREPOWER AND TO RESTRICT AUTOMATIC FIRE, ENSURE THAT RIFLES WITH ONLY A SAFE AND SEMIAUTOMATIC SELECTION CAPABILITY ARE USED AS THE BASIC INDIVIDUAL WEAPON FOR TROOPS IN THE CIVIL DISTURBANCE AREA. ORDERS WILL BE ISSUED TO ALL TROOPS THAT INDIVIDUAL WEAPONS CAPABLE OF AUTOMATIC FIRE WILL NOT BE FIRED IN THE AUTOMATIC/ BURST MODE, EXCEPT ON THE ORDER OF COMPETENT AUTHORITY AS DELEGATED BY THE JTF COMMANDER.

(C) JTF PERSONNEL ARE AUTHORIZED TO USE NON-DEADLY FORCE TO CONTROL THE DISTURBANCE, TO PREVENT CRIMES, AND TO

APPREHEND OR DETAIN PERSONS WHO HAVE COMMITTED CRIMES; HOWEVER, THE DEGREE OF FORCE USED MUST BE NO GREATER THAN THAT REASONABLY NECESSARY UNDER THE CIRCUMSTANCES. THE USE OF DEADLY FORCE, HOWEVER, IN EFFECT INVOKES THE POWER OF SUMMARY EXECUTION AND CAN, THEREFORE, BE JUSTIFIED ONLY BY EXTREME NECESSITY. ACCORDINGLY, ITS USE IS NOT AUTHORIZED FOR THE PURPOSE OF PREVENTING ACTIVITIES WHICH DO NOT POSE A SIGNIFICANT RISK OF DEATH OR SERIOUS BODILY HARM (E.G., CURFEW VIOLATIONS OR LOOTING). IF A MISSION CANNOT BE ACCOMPLISHED WITHOUT THE USE OF DEADLY FORCE, AND DEADLY FORCE IS NOT PERMITTED UNDER THE GUIDELINES AUTHORIZING ITS USE, ACCOMPLISHMENT OF THE MISSION MUST BE DELAYED UNTIL SUFFICIENT NON-DEADLY FORCE CAN BE BROUGHT TO BEAR. IN SUCH SITUATIONS, THE JTF COMMANDER SHOULD REPORT THE SITUATION AND SEEK INSTRUCTIONS FROM HIGHER AUTHORITY. ALL THE REQUIREMENTS OF SUBPARAGRAPH 13F(1)(C)1 BELOW MUST BE MET IN EVERY CASE IN WHICH DEADLY FORCE IS EMPLOYED.

1 THE USE OF DEADLY FORCE IS AUTHORIZED ONLY WHERE ALL THREE OF THE FOLLOWING CIRCUMSTANCES ARE PRESENT:

A LESSER MEANS HAVE BEEN EXHAUSTED OR ARE UNAVAILABLE;

B THE RISK OF DEATH OR SERIOUS BODILY HARM TO INNOCENT PERSONS IS NOT SIGNIFICANTLY INCREASED BY USE; AND

C THE PURPOSE OF ITS USE IS ONE OR MORE OF THE FOLLOWING:

~~1 - SELF DEFENSE TO AVOID DEATH OR SERIOUS BODILY HARM;~~ **SELF DEFENSE AGAINST A HOSTILE PERSON OR FORCE TO AVOID IMMINENT DEATH OR SERIOUS BODILY INJURY POSED BY THE HOSTILE PERSON;** ('96 Change)

2-PREVENTION OF A CRIME WHICH INVOLVES ~~A~~
~~SUBSTANTIAL RISK~~ AN IMMIMENT DANGER ('96 Change) OF DEATH OR
SERIOUS BODILY HARM (FOR EXAMPLE, SETTING FIRE TO AN INHABITED
DWELLING OR SNIPING), INCLUDING THE DEFENSE OF OTHER PERSONS,
WHERE DEADLY FORCE IS DIRECTED AGAINST THE PERSON THREATENING TO
COMMIT THE CRIME; OR ('96 Change);

3-PREVENTION OF THE DESTRUCTION OF PUBLIC
UTILITIES OR SIMILAR ~~PROPERTY~~ CRITICAL INFRASTRUCTURE ('96 Change)
VITAL TO PUBLIC HEALTH OR SAFETY, DAMAGE TO WHICH WOULD IMPERIL
LIFE ('96 Change); OR

4-DETENTION OR PREVENTION OF THE ESCAPE
OF PERSONS WHO HAVE COMMITTED OR ATTEMPTED TO COMMIT ONE OF THE
SERIOUS OFFENSES REFERRED TO IN SUBPARAGRAPHS 1, 2, AND 3
IMMEDIATELY ABOVE, BUT ONLY IF ESCAPE OF THE PERSONS WOULD POSE AN
IMMINENT DANGER OF DEATH OR SERIOUS PHYSICAL INJURY TO MILITARY OR
LAW ENFORCEMENT PERSONNEL OR TO ANY OTHER PERSON ('96 Change).

2 MILITARY PERSONNEL HAVE THE RIGHT UNDER
THE LAW TO USE REASONABLY NECESSARY FORCE TO DEFEND THEMSELVES
AGAINST VIOLENT AND DANGEROUS PERSONAL ATTACK. THE LIMITATIONS
DESCRIBED IN THIS PARAGRAPH ARE NOT INTENDED TO INFRINGE THIS
RIGHT, BUT TO PREVENT THE UNAUTHORIZED OR INDISCRIMINATE FIRING
OF WEAPONS AND THE INDISCRIMINATE USE OF OTHER TYPES OF DEADLY
FORCE.

3 IN ADDITION, THE FOLLOWING POLICIES IN
THE USE OF DEADLY FORCES WILL BE OBSERVED:

A WHEN FIRING AMMUNITION, THE MARKSMAN
SHOULD IF POSSIBLE AIM TO WOUND, RATHER THAN TO KILL;

B WHEN POSSIBLE, THE USE OF DEADLY
FORCE SHOULD BE PRECEDED BY A CLEAR WARNING TO THE INDIVIDUAL OR
GROUP THAT USE OF SUCH FORCE IS CONTEMPLATED OR IMMINENT.

C WARNING SHOTS WILL NOT BE FIRED. SUCH FIRING CONSTITUTES A HAZARD TO INNOCENT PERSONS AND CAN CREATE THE MISTAKEN IMPRESSION ON THE PART OF CITIZENS OR FELLOW LAW ENFORCEMENT PERSONNEL THAT SNIPING IS WIDESPREAD.

D EVEN WHEN AUTHORIZED PURSUANT TO SUBPARA-GRAPH 13F(1)(C)1 ABOVE, DEADLY FORCE MUST BE EMPLOYED ONLY WITH GREAT SELECTIVITY AND PRECISION AGAINST THE PARTICULAR THREAT WHICH JUSTIFIES ITS USE. THE RECEIPT OF SNIPER FIRE--HOWEVER DEADLY--FROM AN UNKNOWN LOCATION CAN NEVER JUSTIFY "RETURNING THE FIRE" AGAINST ANY OR ALL PERSONS WHO MAY BE VISIBLE ON THE STREET OR IN NEARBY BUILDINGS. SUCH AN INDISCRIMINATE RESPONSE IS FAR TOO LIKELY TO RESULT IN CASUALTIES AMONG INNOCENT BYSTANDERS OR FELLOW LAW ENFORCEMENT PERSONNEL. THE APPROPRIATE RESPONSE IS TO TAKE COVER AND ATTEMPT TO LOCATE THE SOURCE OF THE FIRE SO THAT THE THREAT CAN BE NEUTRALIZED.

(D) ISSUE OF LIVE AMMUNITION TO JTF PERSONNEL IS AUTHORIZED.

1 POSITIVE CONTROL WILL BE EXERCISED AT ALL LEVELS OF COMMAND CONCERNING THE ISSUE OF LIVE AMMUNITION TO THE INDIVIDUAL. THE AMMUNITION WILL BE CONTROLLED AT COMPANY LEVEL OR HIGHER AND THE ACTUAL ISSUE AUTHORIZED ONLY ON ORDER OF THE COMPANY COMMANDER AFTER AUTHORITY HAS BEEN RECEIVED THROUGH THE CHAIN OF COMMAND FROM THE JTF COMMANDER. AMMUNITION WILL BE ISSUED TO ANTI-SNIPER TEAMS ONLY ON AN "AS REQUIRED" BASIS AND UNDER THE SAME CONDITIONS OUTLINED ABOVE.

2 INDIVIDUALS MUST BE CAUTIONED THAT IF THEY ARE ISSUED LIVE AMMUNITION THEY ARE AUTHORIZED TO LOAD AND FIRE THEIR WEAPON ONLY ON ORDER OF AN OFFICER, WHEN AN OFFICER IS PRESENT. IF NO OFFICER IS PRESENT, THEN LOADING AND FIRING WILL BE IN ACCORDANCE WITH THE FOLLOWING GUIDANCE: "YOU WILL LOAD OR FIRE YOUR WEAPON ONLY WHEN REQUIRED TO PROTECT YOUR OWN LIFE OR THE LIVES OF OTHERS, TO PROTECT SPECIFIC PROPERTY DESIGNATED AS VITAL TO PUBLIC HEALTH OR SAFETY DAMAGE TO WHICH WOULD IMPERIL LIFE ('96 Change), OR TO PREVENT THE ESCAPE OF PERSONS ENDANGERING LIFE OR VITAL FACILITIES; YOU ARE NOT AUTHORIZED TO USE FIREARMS TO PREVENT OFFENSES WHICH ARE NOT LIKELY TO CAUSE DEATH OR SERIOUS BODILY HARM NOR ENDANGER PUBLIC HEALTH OR SAFETY." PERSONNEL WILL BE REMINDED THAT INADVERTENT OR ACCIDENTAL FIRING OF WEAPONS COULD IN ITSELF PRECIPITATE A CIVIL DISORDER SITUATION.

3 TO PREVENT THE UNJUSTIFIED USE OF DEADLY WEAPONS, IT IS CRITICALLY IMPORTANT FOR AN OFFICER TO RETAIN POSITIVE CONTROL OVER THE LOADING OF WEAPONS UNTIL SUCH TIME AS THE NEED FOR SUCH ACTION IS CLEARLY ESTABLISHED.

4 THE PRESENCE OF LOADED WEAPONS IN TENSE SITUATIONS MAY INVITE THE APPLICATION OF DEADLY FORCE IN RESPONSE TO PROVOCATIONS WHICH, WHILE SUBJECT TO CENSURE, ARE NOT SUFFICIENT TO JUSTIFY ITS USE; THE PRESENCE OF LOADED WEAPONS ALSO INCREASES THE HAZARD THAT THE IMPROPER DISCHARGE OF A WEAPON BY ONE OR MORE INDIVIDUALS WILL LEAD OTHERS TO FIRE ON THE MISTAKEN BELIEF THAT AN ORDER TO FIRE HAS BEEN GIVEN.

OFFICERS SHOULD BE CLEARLY INSTRUCTED, THEREFORE, THAT THEY HAVE A PERSONAL OBLIGATION TO WITHHOLD PERMISSION FOR LOADING UNTIL CIRCUMSTANCES INDICATE A HIGH PROBABILITY THAT DEADLY FORCE WILL BE IMMINENTLY NECESSARY AND JUSTIFIED PURSUANT TO THE CRITERIA SET FORTH IN 13F(1)(C)1 ABOVE. STRONG COMMAND SUPERVISION MUST BE EXERCISED TO ENSURE THE LOADING OF WEAPONS IS NOT AUTHORIZED IN A ROUTINE, PREMATURE, OR BLANKET MANNER.

(E) THE JTF COMMANDER MAY, AT HIS DISCRETION, DELEGATE THE AUTHORITY TO AUTHORIZE THE USE OF DEADLY FORCE, PROVIDED THAT THE PERSON TO WHOM SUCH DELEGATION IS MADE UNDERSTANDS THE CONSTRAINTS UPON THE USE OF DEADLY FORCE SET FORTH IN SUBPARAGRAPH 13F(1)(C)1 ABOVE.

(F) STRINGENT CONTROLS WILL BE PLACED ON THE USE OF BULK-TYPE RIOT CONTROL AGENT DISPERSERS (E.G., PORTABLE, VEHICULAR-MOUNTED, AND HELICOPTER-MOUNTED DISPERSERS). SELECTION OF DISSEMINATING DEVICES WILL BE GOVERNED BY THE SIZE, TEMPER, AND COMPOSITION OF THE DISORDERLY ELEMENTS. AERIAL DISPERSERS WILL NOT BE EMPLOYED WHERE GROUND FORCE OPTIONS AND DISPERSERS CAN ACCOMPLISH THE DESIRED RESULT. INITIAL USE OF THE CS "BASEBALL" GRENADES IS, IN MOST CASES, DESIRABLE IN PREFERENCE TO BULK-TYPE DISPERSERS.

(G) THE FIXING OF THE BAYONET ON THE INDIVIDUAL WEAPON AS A FORCE OPTION SHOULD BE SELECTED WITH CAUTION. ADVERSE REACTION COULD BE PROVOKED SOLELY BY USING THIS FORCE OPTION.

(H) THE USE OF SCOUT OR SENTRY DOGS BY THE JTF IS PROHIBITED. EXPLOSIVE DETECTOR DOG TEAMS MAY BE EMPLOYED IAW THE PROVISIONS OF AR 75-15.

(2) CUSTODY AND DETENTION OF CIVILIANS. WHENEVER POSSIBLE, CIVILIAN POLICE AUTHORITIES SHOULD TAKE CIVILIAN PERSONNEL INTO CUSTODY; WHEN ASSISTANCE IS NECESSARY, OR IN THE ABSENCE OF CIVILIAN POLICE, FEDERAL MILITARY FORCES HAVE THE RESPONSIBILITY TO DETAIN OR TAKE INTO CUSTODY RIOTERS, LOOTERS OR OTHERS COMMITTING OFFENSES. IN ANY CASE, MILITARY PERSONNEL WILL FURNISH ANY INFORMATION REQUIRED BY CIVILIAN POLICE TO EXECUTE AN ARREST FORM. SHOULD A SITUATION ARISE NECESSITATING DETENTION OF CIVILIAN PERSONNEL, CIVIL POLICE, POSSIBLY IN COLLABORATION WITH LOCAL DEPARTMENT OF JUSTICE PERSONNEL, WILL OPERATE/MAINTAIN OR PROVIDE DETENTION FACILITIES. THE JTF WILL NOT OPERATE CONFINEMENT FACILITIES FOR CIVILIANS WITHOUT SPECIFIC AUTHORITY FROM THE EXECUTIVE AGENT.

(3) SEARCHES. IN CARRYING OUT THEIR MISSION, JTF PERSONNEL MAY CONDUCT SEARCHES OF INDIVIDUALS AND PRIVATE PROPERTY (INCLUDING VEHICLES) WITHOUT A JUDICIAL WARRANT ONLY IN THE FOLLOWING CIRCUMSTANCES:

(A) IF THEY HAVE REASON TO BELIEVE THAT AN INDIVIDUAL IS ARMED OR IS CARRYING INSTRUMENTS OF VIOLENCE, AND THAT THE INDIVIDUAL PRESENTS AN IMMEDIATE RISK OF HARM TO THE JTF PERSONNEL OR OTHERS, THEY MAY SEARCH THE INDIVIDUAL FOR WEAPONS.

(B) IF THEY HAVE REASON TO BELIEVE THAT AN INDIVIDUAL WHO HAS COMMITTED VIOLENCE IS HIDDEN IN A BUILDING, THEY MAY SEARCH THAT BUILDING WITHOUT A JUDICIALLY ISSUED SEARCH WARRANT ONLY IN THE FOLLOWING CIRCUMSTANCES:

1 THEY MAY ENTER THE BUILDING BELIEVED TO HAVE BEEN ENTERED BY THE INDIVIDUAL WHEN IN IMMEDIATE PURSUIT OF THAT INDIVIDUAL, AND THEN SEARCH THE BUILDING FOR THE INDIVIDUAL OR ANY WEAPONS THAT MIGHT BE USED TO FURTHER HIS ESCAPE.

2 THEY MAY ENTER THE BUILDING AND SEARCH FOR THE INDIVIDUAL WHEN THERE IS REASON TO BELIEVE THAT THE DELAY NECESSARY TO OBTAIN A SEARCH WARRANT WOULD RESULT IN THE ESCAPE OF ANY WEAPONS OR EVIDENCE SOUGHT.

3 THEY MAY ENTER THE BUILDING WHEN THERE IS REASON TO BELIEVE THAT ENTRY IS NECESSARY TO PREVENT INJURY TO PERSONS OR SERIOUS DAMAGE TO PROPERTY, TO PROTECT PUBLIC SAFETY, OR TO RENDER AID TO SOMEONE WHO IS IN DANGER.

(C) THEY MAY STOP AND SEARCH AN AUTOMOBILE WITHOUT A JUDICIALLY ISSUED SEARCH WARRANT WHEN THERE IS REASON TO BELIEVE THAT THE AUTOMOBILE CONTAINS WEAPONS OR INSTRUMENTS OF VIOLENCE AND/OR CONTAINS AN INDIVIDUAL REASONABLY BELIEVED TO HAVE COMMITTED VIOLENCE.

(D) IN CARRYING OUT THE JTF MISSION, IT MAY BE NECESSARY TO CONDUCT SEARCHES OF PRIVATE PROPERTY (INCLUDING AUTOMOBILES) IN OTHER SITUATIONS. AS A GENERAL RULE, SUCH SEARCHES SHOULD BE CARRIED OUT BY LOCAL AND FEDERAL CIVIL LAW ENFORCEMENT PERSONNEL BECAUSE OF THEIR GREATER FAMILIARITY

WITH STANDARDS, FOR SEARCHES, INCLUDING PROCEDURES FOR OBTAINING AND USING JUDICIAL WARRANTS. HOWEVER, WHERE JTF PERSONNEL HAVE THOROUGHLY REVIEWED THE EVIDENCE FORMING THE BASIS OF A REQUEST FOR JTF PERSONNEL TO SEARCH, AND WHERE THAT EVIDENCE LEADS TO THE CONCLUSION THAT THE REQUESTED SEARCH IS REASONABLY NECESSARY TO THE ACCOMPLISHMENT OF THE JTF MISSION AND THAT THERE IS AN IMMEDIATE DANGER OF VIOLENCE, DESTRUCTION OF EVIDENCE, OR ESCAPE OF VIOLENT PERSONS UNLESS THE SEARCH IS CONDUCTED WITHOUT DELAY, THE JTF PERSONNEL MAY CONDUCT THE SEARCH IMMEDIATELY. IN ALL OTHER CASES, RESPONSIBILITY FOR THE SEARCH IS TO BE TURNED OVER TO LOCAL AUTHORITIES.

(E) AS SOON AS REASONABLY CONVENIENT, JTF PERSONNEL WHO HAVE CONDUCTED A SEARCH WILL FULLY DOCUMENT THE REASONS FOR THE SEARCH, INCLUDING:

1 THE INFORMATION UPON WHICH THE SEARCH WAS BASED;

2 THE SOURCES OF THE INFORMATION UPON WHICH THE SEARCH WAS BASED;

3 THE REASONS JTF PERSONNEL FOUND TO CONCLUDE THAT THE INFORMATION WAS FACTUAL;

4 THE IDENTITY AND LOCATION OF THE PERSONS OR THINGS SOUGHT; AND

5 THE CIRCUMSTANCES WHICH GAVE RISE TO THE CONCLUSION THAT AN IMMEDIATE SEARCH WAS NECESSARY TO PROTECT JTF PERSONNEL OR OTHERS, TO PREVENT THE ESCAPE OF VIOLENT PERSONS, OR TO PREVENT THE LOSS OR DESTRUCTION OF WEAPONS OR EVIDENCE.

(4) SHOULD THE JTF COMMANDER BELIEVE THAT IN ORDER TO FULFILL THE MISSION THERE IS NO ALTERNATIVE TO AN APPLICATION OF FORCE OR OTHER ACTION WHICH IS AT VARIANCE WITH THE INTENT OR WORDING OF THESE ROE, THE JTF COMMANDER SHOULD DISCUSS THE MATTER WITH THE SENIOR CIVILIAN REPRESENTATIVE AND THEREAFTER OBTAIN APPROVAL FROM THE OPERATING AGENT/SUPPORTED CINC.

(5) PRIOR TO PARTICIPATION IN CIVIL DISTURBANCE OPERATIONS, ALL JTF PERSONNEL WILL BE BRIEFED ON:

(A) THE SPECIFIC MISSION OF THE UNIT.

(B) RULES GOVERNING THE APPLICATION OF FORCE AS THEY APPLY TO THE SPECIFIC SITUATION.

(C) AN ORIENTATION OF THE LOCAL SITUATION, SPECIFICALLY ADDRESSING TYPES OF ABUSE WHICH MILITARY PERSONNEL MAY BE EXPECTED TO RECEIVE AND THE PROPER RESPONSE TO THESE TYPES OF ABUSE.

14. (U) ADMINISTRATION AND LOGISTICS.

A. (U) TRANSPORT.

(1) () AIRLIFT MOVEMENT PRIORITY: ____.

(2) () PEACETIME LOAD PLANNING FACTORS APPLY.

(3) () USCINCTRANS WILL PROVIDE APPROPRIATE AIRCRAFT/SHIPS TO MEET CARGO/PASSENGER MOVEMENT REQUIREMENTS. LIFT REQUIREMENTS IN EXCESS OF NON-MOBILIZED AND COMMERCIAL CONTRACT RESOURCES WILL BE RESOLVED BY JCS.

(4) () FUNDING FOR TRANSPORTATION WILL NOT BE PROVIDED BY JCS. PARENT SERVICES OF DEPLOYING FORCES MUST PROVIDE FUND CITES FOR MOVEMENTS.

(5) () FORCE ACTIVITY DESIGNATOR (FAD) WILL BE ISSUED BY APPROPRIATE SERVICES.

(6) () JOINT STAFF PROJECT CODE IS _____.

(7) () BASE SUPPORT INSTALLATION FOR LOGISTICAL SUPPORT TO THE JTF IS [NAME AND LOCATION OF INSTALLATION].

B. () KNOWN LOGISTICAL CONSTRAINTS.

(1) () COMMERCIAL SERVICES. [SUMMARIZE AVAILABILITY/ NONAVAILABILITY OF COMMERCIAL SERVICES IN AO AND NECESSARY ACTIONS TO BE TAKEN BY JTF].

(2) () POTABLE WATER. [SUMMARIZE AVAILABILITY/ NON- AVAILABILITY OF POTABLE WATER IN AO AND NECESSARY ACTIONS TO BE TAKEN BY JTF].

(3) () MEDICAL FACILITIES. [SUMMARIZE AVAILABILITY/ NONAVAILABILITY OF MEDICAL FACILITIES IN AO AND NECESSARY ACTIONS TO BE TAKEN BY JTF].

(4) () AIRPORTS. [SUMMARIZE AVAILABILITY/ NONAVAIL- ABILITY OF AIRPORTS/AIRSTRIPS AND AIRPORT SERVICES (POL, POWER, LIGHTING, MATERIAL HANDLING EQUIPMENT) IN THE AQ AND NECESSARY ACTIONS TO BE TAKEN BY JTF].

(5) () BILLETING. [SUMMARIZE AVAILABILITY/ NONAVAIL- ABILITY OF BILLETING IN THE AO AND NECESSARY ACTIONS TO BE TAKEN BY JTF].

15. () FUNDING. SERVICE COMPONENTS OF [COMMAND OF OPERATING AGENT/SUPPORTED CINC] SHOULD ESTABLISH ACCOUNT PROCESSING CODES TO CAPTURE COSTS FOR THIS OPERATION. JCS PROJECT CODE IS

[CODE]. MDEP IS [CODE]. ALL REQUESTS FOR REIMBURSEMENT FOR SUPPORT OF THIS OPERATION WILL BE SUBMITTED TO [COMMAND OF OPERATING AGENT/SUPPORTED CINC] FOR CONSOLIDATION. [COMMAND OF OPERATING AGENT/SUPPORTED CINC] WILL IN TURN REQUEST REIMBURSEMENT IN ACCORDANCE WITH ANNEX P OF REFERENCE A.

16. () COMMAND RELATIONSHIPS. [OPERATING AGENT/SUPPORTED CINC] IS A SUPPORTED CINC FOR THE CONDUCT OF CIVIL DISTURBANCE OPERATIONS WITHIN HIS AOR. ALL OTHER CINCS ARE SUPPORTING CINCS. CHAIN OF COMMAND FOR THIS OPERATION IS: PRESIDENT OF THE UNITED STATES, SECRETARY OF DEFENSE, DOD EXECUTIVE AGENT (SECRETARY OF THE ARMY), OPERATING AGENT/SUPPORTED CINC ([NAME OF OPERATING AGENT]/SUPPORTED CINC), JTF COMMANDER (AS DESIGNATED BY OPERATING AGENT/SUPPORTED CINC).

17. () REPORTING INSTRUCTIONS. COMMENCE REPORTING TO DOD AS OUTLINED AT ANNEX J OF REFERENCE A EFFECTIVE [DATE-TIME]Z [MONTH] 19__.

18. () CLASSIFICATION GUIDANCE. OPERATION IS CLASSIFIED [CLASSIFICATION] PENDING EXECUTION, AT WHICH TIME THE OPERATION WILL BE UNCLASSIFIED. COMMANDERS ARE AUTHORIZED TO DECLASSIFY PORTIONS OF THIS ORDER AS REQUIRED DUE TO OPERATIONAL NECESSITY.

19. () PUBLIC AFFAIRS. OPERATING AGENT/SUPPORTED CINC WILL ESTABLISH A JOINT INFORMATION BUREAU (JIB) WHICH WILL SERVE AS THE PUBLIC AFFAIRS OFFICE FOR THE JOINT TASK FORCE COMMANDER IN THE AREA OF OPERATIONS. PUBLIC AFFAIRS EFFORTS WILL BE ACCOMPLISHED IAW ANNEX F TO REFERENCE A. THE JIB SHOULD BE PREPARED TO RECEIVE A DOD MEDIA POOL IF DEPLOYED.

20. () COMMUNICATIONS. ON REQUEST, UP TO FOUR COMMUNICATIONS DETACHMENTS AND COMMERCIAL RADIOS CAN BE MADE AVAILABLE BY THE EXECUTIVE AGENT. WHERE CRITICAL COMMUNICATIONS REQUIREMENTS ARE NOT SATISFIED BY AUGMENTING OR SUPPORTING UNITS, OPERATING AGENT/SUPPORTED CINC WILL VALIDATE AND FORWARD REQUIREMENTS FOR JCS-CONTROLLED MOBILE/TRANSPORTABLE COMMUNICATIONS EQUIPMENT IN ACCORDANCE WITH JCS MOP 167. DUE TO LIMITED SATELLITE CAPABILITY, OPERATING AGENT/SUPPORTED CINC WILL BE PREPARED TO RECOMMEND RELATIVE PRIORITIES AND ALLOCATE CHANNELS/CIRCUITS WITHIN THE SCOPE OF THIS OPERATION, INCLUDING THOSE OF SUPPORTING CINCS.

21. () DOMS HAS CONVENED A JOINT STAFF IN THE ARMY OPERATIONS CENTER, THE PENTAGON, TO COORDINATE CIVIL DISTURBANCE OPERATIONS AT DOD LEVEL. MESSAGE ADDRESS IS DIRMILSPT WASH DC//DAMO-ODS//. TELEPHONE IS AUTOVON 22_-____ OR COMMERCIAL (____) 69_-____). UNSECURE FACSIMILE IS AUTOVON 22_-____ OR COMMERCIAL (404) 69_-____). SECURE FACSIMILE IS AUTOVON 22_-____ OR COMMERCIAL (____) 69_-____).

APPENDIX 2 (RECONNAISSANCE BY JOINT TASK FORCE COMMANDER) TO
ANNEX C (CONCEPT OF OPERATIONS) TO DEPARTMENT OF DEFENSE CIVIL
DISTURBANCE PLAN

FROM SA WASH DC

TO [OPERATING AGENT/SUPPORTED CINC]

CDRJTF [JTF DESIGNATION AND LOCATION]

INFO SECDEF WASH DC

CJCS WASH DC

CSA WASH DC

CNO WASH DC

CSAF WASH DC

CMC WASH DC

COMDT COGARD WASH DC

USCINCTrans SCOTT AFB IL

[OTHER SUPPORTING CINCS]

DIRMILSPT WASH DC

JOINT STAFF WASH DC//J3/J4/J5//

HQDA WASH DC//SAILE/SAFM/SAPA/SALL/SAGC/SAIS/DALO-PLO/

DALO-SMS/DALO-TSP/DALO-TST/DASG-HCO/DAJA-AL/DAPE-ZX/

DAMI/DAEN/DAAR/DAMO-ODS/DAMO-ODS-AOC//

WHITE HOUSE SITUATION ROOM WASH DC

NMCC WASH DC

DEPT OF JUSTICE COMMAND CENTER WASH DC

CSAF WASH DC//XOOTA//

[OTHER COMMANDS/AGENCIES/ORGANIZATIONS, AS APPROPRIATE]

[CLASSIFICATION IS CONFIDENTIAL WHEN COMPLETED]

SUBJECT: RECONNAISSANCE BY JOINT TASK FORCE (JTF) COMMANDER
(GARDEN PLOT) (U)

A. DEPARTMENT OF DEFENSE CIVIL DISTURBANCE PLAN (GARDEN PLOT),
5 JULY 1990.

B. SA MSG, CIVIL DISTURBANCE OPERATIONS (GARDEN PLOT) [DTG].

THIS MESSAGE IS A TWO PART MESSAGE

PART I FOR [OPERATING AGENT/SUPPORTED CINC]

1. () CDR, JTF [JTF DESIGNATION] TOGETHER WITH REQUIRED JTF
HQS STAFF MEMBERS IS DIRECTED TO CONDUCT A RECONNAISSANCE OF
[AO] TO ASSESS SITUATION. REPORT JTF COMMANDER'S FINDINGS AND
RECOMMENDATIONS TO DOD EXECUTIVE AGENT (SECRETARY OF THE ARMY)
AS SOON AS POSSIBLE AFTER JTF COMMANDER'S ARRIVAL IN AREA OF
OPERATIONS. RECOMMENDATIONS WILL BE MADE IN COORDINATION WITH
SENIOR CIVILIAN REPRESENTATIVE OF THE ATTORNEY GENERAL (SCRAG).

2. () REPORT ETA OF RECONNAISSANCE PARTY AND POINT OF ARRIVAL
(POA) IN AREA OF OPERATIONS TO DIRECTOR OF MILITARY SUPPORT
(DOMS).

3. () EXECUTIVE AGENT WILL NOTIFY TAG OF [STATE*] OF THE
IMPENDING RECONNAISSANCE OF [AO] BY JTF CDR AND SELECTED MEMBERS
OF HIS STAFF.

PART II FOR CDR JTF [JTF DESIGNATION]

*Name of territories, Commonwealth of Puerto Rico, or District of
Columbia will be substituted in this and other messages, as
appropriate.

3. () CDR, JTF [JTF DESIGNATION] WILL BE MET ON ARRIVAL IN [AO] AT POA BY [NAME OF OFFICIAL].

4. () THE GOVERNOR OF [NAME OF STATE] WILL BE INFORMED OF YOUR RECONNAISSANCE MISSION. CONTACT THE JAG AND NOTIFY HIM OF YOUR ARRIVAL IN [AO]. OBTAIN ANY INFORMATION FROM HIM THAT MAY ASSIST YOU IN YOUR RECONNAISSANCE.

5. () THIS RECONNAISSANCE MISSION IS CLASSIFIED CONFIDENTIAL. RECONNAISSANCE IS TO BE PERFORMED DISCREETLY. RECONNAISSANCE PARTY WILL WEAR CIVILIAN CLOTHING AND USE COMMERCIAL TRANSPORTATION AND COMMUNICATIONS EQUIPMENT.

APPENDIX 3 (NOTIFICATION OF RECONNAISSANCE BY JOINT TASK FORCE
COMMANDER) TO ANNEX C (CONCEPT OF OPERATIONS) TO DEPARTMENT OF
DEFENSE CIVIL DISTURBANCE PLAN

FROM SA WASH DC

TO GOVERNOR OF THE STATE OF [NAME OF STATE]

INFO SECDEF WASH DC

CJCS WASH DC

CSA WASH DC

CNO WASH DC

CSAF WASH DC

CMC WASH DC

COMDT COGARD WASH DC

USCINCTrans SCOTT AFB IL

[OPERATING AGENT/SUPPORTED CINC]

CDRJTF [JTF DESIGNATION AND LOCATION]

DIRMILSPT WASH DC

JOINT STAFF WASH DC//J3/J4/J5//

HQDA WASH DC//SAILE/SAFM/SAPA/SALL/SAGC/SAIS/DALO-PLO/

DALO-SMS/DALO-TSP/DALO-TST/DASG-HCO/DAJA-AL/DAPE-ZX/

DAMI/DAEN/DAAR/DAMO-ODS/DAMO-ODS-AOC//

WHITE HOUSE SITUATION ROOM WASH DC

NMCC WASH DC

DEPT OF JUSTICE COMMAND CENTER WASH DC

CSAF WASH DC//XOOTA//

[OTHER COMMANDS/AGENCIES/ORGANIZATIONS, AS APPROPRIATE]

[CLASSIFICATION IS CONFIDENTIAL WHEN COMPLETED]

SUBJECT: NOTIFICATION OF RECONNAISSANCE BY JOINT TASK FORCE
(JTF) COMMANDER (GARDEN PLOT) (U)

1. () IN THE EVENT THAT IT BECOMES NECESSARY FOR THE GOVERNOR TO REQUEST FEDERAL TROOPS TO COPE WITH CIVIL DISTURBANCES IN [AO] IN THE STATE OF [NAME OF STATE], THE FEDERAL FORCE WILL BE COMMANDED BY [NAME OF JTF CDR].

2. () IN ORDER TO ACCOMPLISH REQUISITE PLANNING AND SUBMIT APPROPRIATE RECOMMENDATIONS, I HAVE AUTHORIZED [NAME OF JTF CDR], TOGETHER WITH SELECTED MEMBERS OF HIS STAFF, TO CONDUCT A RECONNAISSANCE OF [AO]. THIS RECONNAISSANCE MISSION IS CLASSIFIED CONFIDENTIAL. THIS RECONNAISSANCE IS FOR COORDINATION AND PLANNING AS A PRECAUTIONARY MEASURE. IN ANTICIPATION OF THE POSSIBLE COMMITMENT OF THE FEDERAL TROOPS AND SHOULD NOT BE INTERPRETED AS FEDERAL INTERVENTION.

3. () [NAME OF JTF CDR] WILL CONTACT YOU UPON HIS ARRIVAL IN [AO]. ANY ASSISTANCE YOU MAY FURNISH HIM WILL BE GREATLY APPRECIATED.

APPENDIX 4 (PRESIDENTIAL PROCLAMATION) TO ANNEX C (CONCEPT OF
OPERATIONS) TO DEPARTMENT OF DEFENSE CIVIL DISTURBANCE PLAN

THE WHITE HOUSE

LAW AND ORDER IN THE STATE OF _____

BY THE PRESIDENT OF THE UNITED STATES OF AMERICA

A PROCLAMATION

WHEREAS; the Governor of the State of _____
has informed me that conditions of domestic violence and disorder
exist in and about the City of _____ in that
state, endangering life and property and obstructing execution of
the laws, and that the law enforcement resources available to the
City and State, including the National Guard, are unable to
suppress such acts of violence and to restore law and order: and

WHEREAS; the Governor has requested me to use such of the Armed
Forces of the United States as may be necessary for that purpose:
and

WHEREAS; such domestic violence and disorder are obstructing the
execution of the laws of the United States, and endangering the
security of Federal property and function, in and about the City
of _____.

NOW, THEREFORE, I, _____, President of
the United States of America, by virtue of the authority vested in
me by the Constitution and laws of the United States, including
Chapter 15 of Title 10 of the United States Code, do command all
persons engaged in such acts of violence to cease and desist
therefrom and to disperse and retire peaceably forthwith.

IN WITNESS WHEREOF, I have hereunto set my hand this _____
day of _____, in the year of our Lord nineteen hundred and
_____, and of the Independence of the United States of America the
two hundred and _____.

(Signature of the President)

THE WHITE HOUSE

APPENDIX 5 (PRESIDENTIAL EXECUTIVE ORDER) TO ANNEX C (CONCEPT
OF OPERATIONS) TO DEPARTMENT OF DEFENSE CIVIL DISTURBANCE PLAN

THE WHITE HOUSE

EXECUTIVE ORDER

PROVIDING FOR THE RESTORATION OF LAW AND ORDER

IN THE STATE OF _____

WHEREAS; I have today issued Proclamation Number _____
pursuant in part of the provisions of Chapter 15 of Title 10
United States Code; and

WHEREAS; the conditions of domestic violence and disorder
described therein continue, and the persons engaging in such acts
of violence have not dispersed;

NOW, THEREFORE, by virtue of the authority vested in me as the
President of the United States and Commander in Chief of the Armed
Forces by the Constitution and laws of the United States,
including Chapter 15 of Title 10 of the United States Code, it is
hereby ordered as follows:

SECTION 1. Units and members of the Armed Forces of the United
States will be used to suppress the violence described in the
proclamation and to restore law and order in and about the City of
_____.

SECTION 2. The Secretary of Defense is authorized to use
such of the Armed Forces as may be necessary to carry out the
provisions of SECTION 1. To that end, he is authorized to call
into the active military service of the United States units or
members of the National Guard, as authorized by law, to serve in
an active duty status for an indefinite period and until
relieved by appropriate orders. Unit or members may be relieved
subject to recall at the discretion of the Secretary of Defense.

In carrying out the provisions of this order, the Secretary of
Defense shall observe such law enforcement policies as the
Attorney General may determine.

SECTION 3. Until such time as the Armed Forces shall have been
withdrawn pursuant to SECTION 4 of this order, the Attorney
General is further authorized (1) to coordinate the activities of
all federal agencies assisting in the suppression of violence and
in the administration of justice in and about

the City of _____, and (2) to coordinate the activities of all such agencies with those of state and local agencies similarly engaged.

SECTION 4. The Secretary of Defense is authorized to determine when federal military forces shall be withdrawn from the disturbance area and when federalized National Guard units and personnel shall be released from active federal service. Such determination shall be made in the light of the Attorney General's recommendations as to the ability of state and local authorities to resume full responsibility for the maintenance of law and order in the affected area.

SECTION 5. The Secretary of Defense and the Attorney General are authorized to delegate to subordinate officials of their respective departments any of the authority conferred upon them by this order.

(Signature of the President)

THE WHITE HOUSE

APPENDIX 6 (EXECUTION ORDER) TO ANNEX C (CONCEPT OF OPERATIONS) TO
DEPARTMENT OF DEFENSE CIVIL DISTURBANCE PLAN

FROM SA WASH DC

TO [OPERATING AGENT/SUPPORTED CINC]

INFO SECDEF WASH DC

CJCS WASH DC

CSA WASH DC

CNO WASH DC

CSAF WASH DC

CMC WASH DC

COMDT COGARD WASH DC

USCINTRANS SCOTT AFB IL

CINCSAC OFFUTT AFB NE

[OTHER SUPPORTING CINCS]

CDRAMC ALEXANDRIA VA

CDRUSAISC FT HUACHUCA AZ

CDRUSACE WASH DC

CNGB WASH DC

HQ MAC SCOTT AFB IL//DO/TR//

CDRMTMC FALLS CHURCH VA

CDR7THSIGCMD FT RITCHIE MD

DIRMILSPT WASH DC

JOINT STAFF WASH DC//J3/J4/J5//

DMA WASH DC

DCA WASH DC

DIS WASH DC

DLA CAMERON STA VA

DIA WASH DC

HQDA WASH DC//SAILE/SAFM/SAPA/SALL/SAGC/SAIS/DALO-PLO/

DALO-SMS/DALO-TSP/DALO-TST/DASG-HCO/DAJA-AL/DAPE-ZX/

DAMI/DAEN/DAAR/DAMO-ODS/DAMO-ODS-AOC//

WHITE HOUSE SITUATION ROOM WASH DC

NMCC WASH DC

DEPT OF JUSTICE COMMAND CENTER WASH DC

CSAF WASH DC//XOOTA//

[OTHER COMMANDS/AGENCIES/ORGANIZATIONS, AS APPROPRIATE]

[CLASSIFICATION IS CONFIDENTIAL WHEN COMPLETED]

SUBJECT: INITIATION OF CIVIL DISTURBANCE OPERATIONS (GARDEN
PLOT) (U)

A. SA MSG, CIVIL DISTURBANCE OPERATIONS (GARDEN PLOT) [DTG] (U).

B. DEPARTMENT OF DEFENSE CIVIL DISTURBANCE PLAN (GARDEN PLOT), 5
JULY 1990.

1. () THIS IS AN EXECUTION ORDER. THE PRESIDENT HAS DIRECTED
THE SECRETARY OF DEFENSE TO EMPLOY ACTIVE FEDERAL MILITARY FORCES
IN [AO] TO ASSIST CIVIL AUTHORITIES IN THE RESTORATION OF LAW AND
ORDER. AS EXECUTIVE AGENT FOR THE SECRETARY OF DEFENSE FOR CIVIL
DISTURBANCE OPERATIONS, I HEREBY DIRECT YOU TO COMPLY WITH
REFERENCE A ABOVE AS MY OPERATING AGENT FOR CIVIL DISTURBANCE
OPERATIONS IN [AO].

2. () DIRECT [JTF DESIGNATION] TO COMMENCE AND CONDUCT CIVIL
DISTURBANCE OPERATIONS IN [AO] AS TASKED BY SENIOR CIVILIAN

REPRESENTATIVE OF THE ATTORNEY GENERAL (SCRAG).

3. () CHANGES TO REFERENCE ABOVE ARE AS FOLLOWS: [LIST
CHANGES TO ALERT ORDER].

4. () INITIATE REPORTS IAW ANNEX J OF REFERENCE B BEGINNING
[DAY]0001Z [MONTH] 19__. CINCS ARE AUTHORIZED TO USE OPREP-1
REPORTING PROCEDURES AS REQUIRED. NORMAL OPERATIONAL REPORTING
AS PRESCRIBED IN JCS PUB 1-03.8. REPORTING SHOULD INCLUDE
AUDIOVISUAL DOCUMENTATION WHENEVER POSSIBLE.

5. () UPON EXECUTION, THIS MESSAGE IS REGRADED UNCLASSIFIED.

6. () ACTION ADDRESSEE ACKNOWLEDGE RECEIPT OF THIS MESSAGE TO
DIRECTOR OF MILITARY SUPPORT.

APPENDIX 7 (CALLING OF ARMY AND AIR NATIONAL GUARD UNITS INTO
FEDERAL SERVICE) TO ANNEX C (CONCEPT OF OPERATIONS) TO DEPARTMENT
OF DEFENSE CIVIL DISTURBANCE PLAN

FROM SECARMY

TO GOVERNOR OF STATE OF [NAME OF STATE]

TAG STATE OF [NAME OF STATE]

INFO SECDEF WASH DC

CJCS WASH DC

CSA WASH DC

CNO WASH DC

CSAF WASH DC

CMC WASH DC

COMDT COGARD WASH DC

[OPERATING AGENT/SUPPORTED CINC]

USCINCTrans SCOTT AFB IL

CINCSAC OFFUTT AFB NE

CDRAMC ALEXANDRIA VA

CDRUSAISC FT HUACHUCA AZ

CDRUSACE WASH DC

CNGB WASH DC

[OTHER SUPPORTING CINCS]

CDRJTF[JTF DESIGNATION AND LOCATION]

HQ MAC SCOTT AFB IL//DO/TR//

CDRMTMC FALLS CHURCH VA

CDR7THSIGCMD FT RITCHIE MD

DIRMILSPT WASH DC

JOINT STAFF WASH DC//J3/J4/J5//

DMA WASH DC

DCA WASH DC

DIS WASH DC

DLA CAMERON STA VA

DIA WASH DC

HQDA WASH DC//SAILE/SAFM/SAPA/SALL/SAGC/SAIS/DALO-PLO/

DALO-SMS/DALO-TSP/DALO-TST/DASG-HCO/DAJA-AL/DAPE-ZX/

DAMI/DAEN/DAAR/DAMO-ODS/DAMO-ODS-AOC//

WHITE HOUSE SITUATION ROOM WASH DC

NMCC WASH DC

DEPT OF JUSTICE COMMAND CENTER WASH DC

CSAF WASH DC//XOOTA//

[OTHER COMMANDS/AGENCIES/ORGANIZATIONS, AS APPROPRIATE]

UNCLAS E F T O

SUBJECT: CALLING OF [NAME OF STATE] NATIONAL GUARD INTO FEDERAL
SERVICE (GARDEN PLOT) (U)

1. IN ORDER TO ENFORCE THE LAWS OF THE STATE OF [NAME OF STATE]
AND OF THE UNITED STATES IN THE STATE OF [NAME OF STATE], THE
PRESIDENT HAS EXERCISED THE AUTHORITY VESTED IN HIM BY THE
CONSTITUTION AND THE LAWS OF THE UNITED STATES, UNDER TITLE 10
UNITED STATES CODE, CHAPTER 15, AND AUTHORIZED THE SECRETARY
OF DEFENSE BY EXECUTIVE ORDER, DATED [DATE OF EXECUTIVE ORDER],
PROVIDING FOR THE RESTORATION OF LAW AND ORDER IN THE STATE
OF [NAME OF STATE], TO CALL UNITS AND MEMBERS OF THE ARMY

NATIONAL GUARD AND AIR NATIONAL GUARD OF THE STATE OF [NAME OF STATE] INTO FEDERAL SERVICE AS NECESSARY FOR THIS PURPOSE. BY VIRTUE OF THE AUTHORITY CONFERRED UPON ME UNDER THE PROVISIONS OF DOD DIRECTIVE 3025.12, I HEREBY CALL INTO FEDERAL MILITARY SERVICE OF THE UNITED STATES FOR AN INDEFINITE PERIOD AND UNTIL RELIEVED BY APPROPRIATE ORDERS AS OF AND FROM [EFFECTIVE TIME]Z HOURS, [DATE], THE FOLLOWING UNITS AND MEMBERS OF THE ARMY NATIONAL GUARD OF THE STATE OF [NAME OF STATE]:

UNITS

GAINING COMMAND

[NATIONAL GUARD UNITS]

JTF [JTF DESIGNATION]

2. THE ARMY NATIONAL GUARD UNITS LISTED ABOVE SHALL BE ASSEMBLED AS DIRECTED BY CDR, JTF [JTF DESIGNATION], IN THE STATE OF [NAME OF STATE] AND PLACED UNDER HIS COMMAND.

3. I FURTHER CALL INTO FEDERAL MILITARY SERVICE OF THE UNITED STATES FOR AN INDEFINITE PERIOD AND UNTIL RELIEVED BY APPROPRIATE ORDERS AS OF AND FROM [EFFECTIVE TIME]Z HOURS, [DATE], THE FOLLOWING UNITS AND MEMBERS OF THE AIR NATIONAL GUARD OF THE STATE OF [NAME OF STATE]:

UNITS

GAINING COMMAND

[NATIONAL GUARD UNITS]

JTF [JTF DESIGNATION]

4. THE AIR NATIONAL GUARD UNITS LISTED ABOVE WILL BE PLACED UNDER THE COMMAND OF THE DESIGNATED GAINING COMMAND.

5. THE ADJUTANT GENERAL OF THE STATE OF [NAME OF STATE] SHALL FURNISH COPIES OF THE ABOVE ORDERS TO THE COMMANDING OFFICER OF THE ARMY NATIONAL GUARD AND THE COMMANDING OFFICER OF THE AIR NATIONAL GUARD OF THE STATE OF [NAME OF STATE].

APPENDIX 8 (SPECIAL INSTRUCTIONS) TO ANNEX C (CONCEPT OF OPERATIONS) TO DEPARTMENT OF DEFENSE CIVIL DISTURBANCE PLAN

1. APPLICATION OF FORCE.

a. General: The primary rule which governs the actions of federal forces in assisting state and local authorities to restore law and order is that the JTF commander must at all times use only the minimum force required to accomplish his mission. This paramount principle should control both the selection of appropriate operational techniques and tactics (see paragraph 1.c. below) and the choice of options for arming the troops (see paragraph 1.d. below). Following this principle, the use of deadly force (i.e., live ammunition or any other type of physical force likely to cause death or serious bodily harm) is authorized only under extreme circumstances where certain criteria are met (see paragraph 1.b. below). To emphasize limitations on the use of firepower and to restrict automatic fire, commanders will ensure that rifles with only a safe or semi-automatic selection capability, or rifles modified to have only a safe or semi-automatic selection capability, will be used as the basic individual weapon for troops in a civil disturbance area. Orders will be issued to all troops that weapons capable of automatic fire will not be fired automatically, except on the order of competent authority as delegated by the JTF commander. The JTF will deploy with automatic weapons only when authorized by the Operating Agent/ Supported CINC.

b. Use of Non-Deadly and Deadly Force.

(1) The JTF commander is authorized to use non-deadly force to control the disturbance, to prevent crimes, and to apprehend or detain persons who have committed crimes; but the degree of force used must be no greater than that reasonably necessary under the circumstances. The use of deadly force, however, in effect invokes the power of summary execution and can therefore be justified only by extreme necessity. Accordingly, its use is not authorized for the purpose of preventing activities which do not pose a significant risk of death or serious bodily harm (e.g., curfew violations or looting). If a mission cannot be accomplished without the use of deadly force, but deadly force is not permitted under the guidelines authorizing its use, accomplishment of the mission must be delayed until sufficient non-deadly force can be brought to bear. The commander should report the situation and seek instructions from higher authority. All the requirements of subparagraph (2) below must be met in every case in which deadly force is employed.

(2) The use of deadly force is authorized only where all three of the following circumstances are present:

(a) Lesser means have been exhausted or are unavailable;

(b) The risk of death or serious bodily harm to innocent persons is not significantly increased by its use; and

(c) The purpose of its use is one or more of the following:

~~1 Self-defense to avoid death or serious bodily harm~~ **Self defense against a hostile person or force to avoid imminent death or serious bodily injury posed by the hostile person;** ('96 Change) (see subparagraph 1b(3) below);

~~2 Prevention of a crime which involves a substantial risk~~ **an imminent danger** ('96 Change) of death or serious bodily harm (for example, setting fire to an inhabited dwelling or sniping), including the defense of other persons, **where deadly force is directed against the person threatening to commit the crime; or** ('96 Change);

~~3 Prevention of the destruction of public utilities or similar property~~ **critical infrastructure** ('96 Change) vital to public health or safety, **damage to which would imperil life; or** ('96 Change);

~~4 Detention or prevention of the escape of persons who have committed or attempted to commit one of the serious offenses referred to in subparagraphs 1, 2, and 3 immediately above,~~ **but only if escape of the persons would pose an imminent danger of death or serious physical injury to military or law enforcement personnel or to any other person** ('96 Change).

(3) Military personnel have the right under the law to use reasonably necessary force to defend themselves against violent and dangerous personal attack. The limitations described in this paragraph are not intended to infringe this right, but to prevent the indiscriminate firing of weapons and the indiscriminate use of other types of deadly force.

(4) In addition, the following policies regarding the use of deadly force will be observed:

(a) When firing ammunition, the marksman should, if possible, aim to wound rather than to kill;

(b) When possible, the use of deadly force should be preceded by a clear warning to the individual or group that use of such force is contemplated or imminent.

(c) Warning shots are not to be employed. Such firing constitutes a hazard to innocent persons and can create the mistaken impression on the part of citizens or fellow law enforcement personnel that sniping is widespread.

(d) Even when its use is authorized pursuant to subparagraph lb(2) above, deadly force must be employed only with great selectivity and precision against the particular threat which justifies its use. For example, the receipt of sniper fire--however, deadly--from an unknown location can never justify "returning the fire" against any or all persons who may be visible on the street or in nearby buildings. Such an indiscriminate response is far too likely to result in casualties among innocent bystanders or fellow law enforcement personnel; the appropriate response is to take cover and attempt to locate the source of the fire so that the threat can be neutralized in accordance with paragraph lc(5) below.

(5) The JTF commander is authorized to have live ammunition issued to personnel under his command. Individuals will be instructed, however, that they may not load their weapons except: when authorized by an officer; provided they are not under the direct control and supervision of an officer, when the circumstances would justify their use of deadly force pursuant to subparagraph lb(2) above. Retention of control by an officer over the loading of weapons until such time as the need for such action is clearly established is of critical importance in preventing the unjustified use of deadly force. Whenever possible, command and control arrangements should be specifically designed to facilitate such careful control of deadly weapons.

(6) The presence of loaded weapons in tense situations may invite the application of deadly force in response to provocations which, while subject to censure, are not sufficient to justify its use; it also increases the hazard that the improper discharge of a weapon by one or more individuals will lead others to a reflex response on the mistaken belief that an order to fire has been given. Officers should be clearly instructed, therefore, that they have a personal obligation to withhold permission for loading until circumstances indicate a high probability that deadly force will be imminently necessary and justified pursuant to the criteria set forth in subparagraph lb(2) above. Strong command supervision must be exercised to assure that the loading of weapons is not authorized in a routine, premature, or blanket manner.

(7) The JTF commander should at all times exercise positive control over the use of weapons. Individuals will be instructed that they may not fire their weapon except when authorized by an officer, or provided they are not under the direct control and supervision of an officer, when the circumstances would justify their use of deadly force pursuant to subparagraph lb(2) above. Individuals must not only know the prerequisites for the use of deadly force, but must also

realize that whenever their unit is operating under the immediate command and control of an officer, that commander will determine whether the firing of live ammunition is necessary.

(8) The JTF commander may, at his discretion, delegate the authority to authorize the use of deadly force, provided that such delegation is not inconsistent with this paragraph and that the person to whom such delegation is made understands the constraints upon the use of deadly force set forth in subparagraph 1b(2) above.

c. Selection of Tactics and Techniques.

(1) The commitment of federal military forces must be viewed as a drastic last resort. Their role, therefore, should never be greater than is absolutely necessary under the circumstances. This does not mean, however, that the number of troops employed should be minimized. To the contrary, the degree of force required to control a disturbance is frequently inversely proportionate to the number of available troops. Any doubts concerning the number of troops required, therefore, should normally be resolved in favor of larger numbers since the presence of great numbers may prevent the development of situations in which the use of deadly force is necessary. A large reserve of troops should be maintained during civil disturbance operations. The knowledge that a large reserve force is available builds morale among military and law enforcement personnel and helps to prevent over-reaction by troops to provocation from disorderly persons.

(2) In developing a concept of operations for a civil disturbance situation, the commander and his staff must adhere scrupulously to the "minimum necessary force" principle; for example, riot control formations or riot control agents should not be used if saturation of the area with manpower would suffice.

(3) Every effort should be made to avoid appearing as an alien, invading force. The JTF should project the image of a restrained and well-disciplined force whose sole purpose is to assist the populace by helping to restore law and order with minimal harm to people and property and with due respect for law abiding citizens. While riot control personnel should be visible, tactics or force concentrations which might tend to provoke disorderly conduct rather than calm the populace should be avoided whenever possible.

(4) The measures described in subparagraphs 1c(4)(a) through 1c(4)(g) below may be applied in any sequence as deemed appropriate by the responsible commander so long as their

application is consistent with paragraph 1b above and is appropriate to the situation.

(a) Proclamation. A public proclamation is considered an excellent medium to make known to a crowd the intentions of the JTF commander. In some instances, such a proclamation makes further action unnecessary. A proclamation puts the population on notice that the situation demands extraordinary military measures, prepares the people to accept military presence, tends to inspire respect from lawless elements and support law-abiding elements, gives psychological aid to the military and civil forces attempting to restore order, and indicates the gravity of the situation.

(b) Show of force. A show of force is effective in various situations in civil disturbance control operations. When a crowd has assembled in an area, marching a well-equipped, highly-disciplined force into view may be all that is needed to persuade them to disperse and retire peaceably to their homes. When persons are scattered throughout the disturbance area in small groups, a show of force may take the form of troop convoys throughout the area, saturation patrolling, manning of static posts, or similar measures.

(c) Employment of riot control formations. Riot control formations can be used effectively to control and disperse a disorderly, massed crowd which does not otherwise respond. The employment of such formations is part of the show of force and has a strong psychological effect on any crowd. The use of fixed bayonets can add considerably to this effect. However, fixed bayonets pose the danger of intentional/accidental injury to nonviolent participants or fellow law enforcement personnel. They should therefore not be used where troops are in contact with a non-violent crowd.

(d) Employment of pressurized water. Water from a fire hose may be effective in controlling small groups on a narrow front (such as a street) or in defending a barricade or roadblock. Personnel applying the water should be protected by riflemen and in some instances by shields. When using pressurized water, the following factors must be considered:

1 Water can be employed as a flat trajectory weapon utilizing pressure or as a high trajectory weapon employing water as rainfall. The latter is highly effective during cold weather.

2 Pressurized water is also useful as troops are advancing. One effective equipment configuration is to have a large water tank (750-1,000 gallons) connected to a powerful water pump mounted on a truck with a high pressure

hose and nozzle that can traverse and search. By having at least two such water trucks, one can be held in reserve for use when required.

3 In using water, as with other measures of force, sound judgment must be used, for example: using water on innocent bystanders such as women and children should be avoided; avenues of escape must be provided; and the more severe, flat trajectory use of pressurized water should be employed only when necessary.

4 Fire departments normally are associated with lifesaving practices rather than the maintenance of law and order. In order to maintain this image, fire department equipment will not be used for riot control and crowd dispersal.

(e) Employment of riot control agents. Riot control agents are extremely useful in civil disturbance control operations because they offer a humane and effective method of reducing resistance. They therefore lessen the need for more severe measures of force. The JTF commander is authorized to delegate the authority to use riot control agents and other forms of non-deadly force.

(f) Fire by selected marksmen. Fire by selected marksmen may be necessary under certain circumstances. Marksmen should be preselected and designated in each unit. Selected marksmen should be specifically trained and thoroughly instructed. They may be placed on vehicles, in buildings, or elsewhere as required.

(g) Full firepower. The most severe measure of force that can be applied by troops is the full use of a unit's firepower to produce extensive casualties. This extreme measure should be used as a last resort only after all other measures have failed or obviously would be impractical, and where the failure to completely subdue the riot would result in the imminent overthrow of the government, continued mass casualties, or similar grievous conditions. It has not been used by federal troops in this century (See primary rule of use of force and restriction on use of automatic/burst fire in paragraph 1a. See paragraphs 1e and 1f below on use of the shotgun and M203 grenade launcher in the application of force.)

(5) Sniper fire. The normal reflex action to sniper fire of well-trained military personnel is to return fire in an overwhelming mass. In a civil disturbance situation, this tactic endangers innocent people more than snipers. The preferred tactic is to enter the building from which the fire

originates. The following general approach should be emphasized in dealing with snipers:

(a) Surround the building in which the sniper is concealed and gain access, using armored vehicles if necessary and when available.

(b) Illuminate the area during darkness.

(c) Employ agent CS initially, if feasible, rather than small arms fire. If CS is not successful, then use well-aimed fire by expert marksmen. The number of rounds should be kept to a minimum to reduce the hazard to innocent persons.

d. Arming of Troops. Consistent with the primary rule that he must use only the minimum force necessary to accomplish his mission, the commander may select any one of the following options for arming his troops:

		Ammunition		
<u>Rifle*</u>	<u>Bayonet</u>	<u>Magazine/Clip</u>	<u>Chamber</u>	
At sling	In scabbard	In pouch on belt	Empty	
At port	In scabbard	In pouch on belt	Empty	
At port	Fixed**	In pouch on belt	Empty	
At port	Fixed**	In weapon***	Empty	
At port	Fixed**	In weapon***	Round	
chambered				

* Personnel may be armed with riot batons in lieu of rifles.

** See subparagraph 1c(4)(b) above.

*** See subparagraph 1b(5) and (6) above.

Each of the above options (from top to bottom) represents an escalation in the level of force. They are not, however, a mandatory sequence requiring a commander to initially select the first option, or to proceed from one to another in any particular order. So long as the option selected is appropriate, given the threat, the minimum necessary force principle is not violated. In selecting force options, consideration should be given to replacing rifles with batons or a mix of riot batons and rifles (e.g., the first line of the formation could be armed with riot batons and the second or supporting ranks could be armed with rifles). However, the riot baton is, under certain situations, considered to be an offensive weapon with a reduced lethality.

e. Use of Shotguns. The riot shotgun is an extremely versatile weapon; its appearance and capability produce a strong psychological effect on rioters. It is particularly

suited to certain applications in civil disturbance operations. Because of its characteristic short range, the danger of producing unintentional casualties beyond the target is greatly reduced when compared with other types of individual weapons.

(1) The shotgun when used with #10 buckshot ammunition is an excellent point target weapon extremely effective at limited ranges. In instances where dangerous offenders must be attacked by selected firepower at ranges of 50 yards or less, the shotgun is the weapon of choice because of its limited range beyond the target. When employed as a point target weapon by trained personnel, the shotgun is well suited to such specialized civil disturbance duties as:

(a) Anti-sniper operations.

(b) Protection of emergency fire fighters, medical, and essential utility maintenance personnel.

(c) Fixed installation security.

(2) When used with #7 or #9 "bird shot" ammunition and properly employed, the shotgun can deter and/or stop violent rioters with considerably less possibility of serious injury or death. However, extreme care must be exercised when using the shotgun with #7 or #9 shot to ensure that the shotgun is not used as an area weapon to inflict multiple casualties except as outlined in subparagraph 1e(2)(c) below.

(a) When using #7 or #9 ammunition, the shotgun has a disabling effect as compared with the more serious casualty-producing effect of combat rifles or shotguns using #10 buck-shot ammunition.

(b) The use of the shotgun with "bird shot" ammunition gives the commander flexibility in selecting the ammunition most appropriate for the situation.

(c) When using "bird shot" ammunition, the shotgun can be fired into the pavement allowing shot to ricochet into the lower part of the legs. This may be all the deterrent needed to stop further violence without serious injury to the individual.

(3) Regardless of the type of shot employed, the shotgun, like any other firearm, constitutes "deadly force" which can be used only pursuant to the provisions of paragraph 1b above. In addition, positive control measures should be established to ensure that, when the shotgun is used, only the ammunition specified by the commander is used.

f. Use of M203 Grenade Launcher. Use of the cartridge, 40-mm., tactical, GS M651, is restricted to countersniper or similar operations. The cartridge will not be fired over the heads of crowds. Prior to employment, consideration will be given to the incendiary nature of the munitions, and to the possible injurious effect to an individual struck by the projectile. This cartridge will be fired only under the control of a commissioned officer.

2. CUSTODY AND DETENTION OF CIVILIANS.

When possible, apprehension of civilians should, as a matter of policy, be performed by civilian police authorities. Military personnel acting pursuant to Presidential directive, however, have the authority to detain or take into custody rioters, looters, and others committing violation of federal, state, and local laws. Coordination should be effected with federal and local law enforcement officials to ensure that military personnel furnish the appropriate information (and utilize proper procedures) to allow for later prosecutions by civil authorities. Where subsequent detention is deemed appropriate, military personnel should turn over such individuals to civilian authorities for detention as soon as possible. Military detention facilities may be established only in cases of extreme emergency (See Annex E).

3. SEARCH.

a. JTF personnel may conduct searches of individuals or private property (including vehicles) without a judicial warrant only in the following circumstances:

(1) Stop and frisk. If there is a reasonable suspicion based upon articulable facts that a person has committed, is committing, or is about to commit a crime, that person may be temporarily stopped and questioned about his activities. The stop must be limited in duration to that which is reasonably necessary to investigate the suspicion. If there is a reasonable suspicion based on articulable facts that a person may be armed and dangerous, a "frisk" (an external "patdown") of the clothing for weapons may be conducted. Weapons and items which could reasonably serve as weapons discovered during the course of a frisk may be removed from the inner clothing and seized.

(2) Incident to detention. A person lawfully detained under the provisions of paragraph 2 above may be searched for weapons or destructible evidence. A search for weapons or destructible evidence may also be conducted in the area where the detained person could reach with a sudden movement to obtain a weapon or destroy evidence. Lastly, a search for

persons who might interfere with or endanger JTF personnel who are detaining civilians may be made in the general area where such persons could reasonably hide. Weapons or items of evidence observed in plain view during the conduct of these lawful activities may be seized.

(3) Exigent circumstances. JTF personnel may conduct warrantless searches where there is:

(a) Reason to believe (probable cause) that weapons, objects related to criminal activity, or persons believed to have committed an offense, are in the place to be searched; and,

(b) Reason to believe that the delay necessary to obtain a search warrant would result in removal of the weapons, destruction of the objects related to criminal activity, or escape.

(4) Emergency searches. JTF personnel may make an immediate entry into a building when there is reason to believe that entry is necessary to prevent injury to persons or serious damage to property, or to render aid to someone who is in danger.

(5) Hot pursuit. JTF personnel pursuing a person whom they have reason to believe has just committed a serious crime, may enter a vehicle or building believed to be entered by the suspect and search the building or vehicle for the person or any weapons that might be used to further his escape.

(6) Plain view seizures. During the course of other- wise lawful activity, JTF personnel may seize any unlawful weapons or objects related to criminal activity which they observe in plain view.

b. Whenever feasible, all searches (including "patdowns") conducted by military personnel will be conducted by personnel of the same sex.

c. All items seized in the course of searches (including "patdowns") of individuals or private property will be accounted for by JTF personnel. These personnel are responsible for the safekeeping of the seized items until they are released to civilian law enforcement officials or otherwise disposed of per instructions from those officials. Wherever practicable, a hand receipt or similar document will be made and kept with the property.

4. PROBABLE CAUSE.

a. A request for a judicially issued search warrant must be accompanied by sufficient credible, factual information to constitute probable cause. When practicable, requests for search warrants should be processed by local civilian authorities. When local civilian authorities are not available, JTF personnel should seek legal advice before approaching a local judge or magistrate for a search warrant.

b. Probable Cause Determination.

(1) In many instances, JTF personnel contemplating a warrantless search will be called upon to make an assessment of "reasonable belief" or "probable cause." A search requiring probable cause should not be undertaken unless probable cause has been established. In the event that probable cause is lacking, additional information may be sought to establish the required reasonable belief.

(2) Probable cause exists when there is reasonable belief that a crime has been committed, and that a person, property, or evidence sought in connection with the crime, is located in the place or on the person to be searched. Before a person may conclude that probable cause to search exists, he must first have a reasonable belief that the information supporting the request for the authorization or warrant to search is believable and has a factual basis.

(3) The person determining whether probable cause exists must determine why the source of the information is believable. The following factors may be considered in making this determination: the number of times, frequency, and specific character of information provided by this person in the past and how often this information has proved accurate; whether the information is adverse to the declarant's financial or penal interest to a degree which would create a reasonable presumption of its accuracy; the identity, demeanor, character and reputation of the person providing the information; the military or other disciplinary record of the person providing the information; independent corroboration of the information; whether the person providing the information has any bias against the person or persons who will be affected by the search; and other factors considered appropriate to such a determination.

(4) The person determining whether probable cause exists must also determine how the person obtained the information he is providing. The following factors should be considered in making this determination: whether the

information is based on direct observation of the person reporting the information or is so detailed that a reasonable person can conclude that it must be based on first-hand information; whether the information was related to the source by a party who is both reliable and in a position to know first hand the information being related; whether the information was related to the source by the person or persons who will be affected by the search; in cases where the information was acquired by smell, whether the person reporting the information was experienced in identifying the substance smelled, whether he received instruction in the identification of different substances by smell, and other factors considered appropriate to such a determination.

(5) The information establishing probable cause and the foundation for concluding that the information is believable and factual must actually be conveyed to the JTF personnel making the probable cause determination. It is not enough to simply approve the conclusions of another that probable cause exists; the individual about to conduct the search must personally weigh the information to make a decision. While it is perfectly proper to obtain legal advice, the ultimate decision of probable cause must be made personally by the individual about to search.

5. TROOP ORIENTATION. Prior to participating in civil disturbance operations, all personnel will be briefed as to:

- a. The background situation and the specific mission of the unit.
- b. Rules governing the application of force as they apply to the specific situation.
- c. A psychological orientation on the local situation, specifically addressing types of abuse which military personnel may be expected to receive and the proper response to these types of abuse.
- d. Identification to be used by news media representatives and civil officials, if known.
- e. The Special Orders at Tab A to this appendix.

6. PROTECTIVE EQUIPMENT. Protective equipment available for use by troops committed to civil disturbance operations includes the protective mask, body armor, and face shield. Commanders will ensure that all personnel committed to confrontation with dissident or riotous elements are equipped with the face shield and wear it during such confrontations.

7. SPECIAL ORDERS. During required riot control training, all designated components of the U.S. Army, Navy, Air Force, and Marine Corps will be given familiarization training in the Special orders For All Military Personnel Engaged in Civil Disturbance Operations (GTA 21-2-7). An extract is provided at Tab A to this appendix.

b. The intent of these special orders is to strike a balance in the use of force to avoid indiscriminate firing in civil disturbance situations and yet protect the individual's inherent right of self-defense.

c. All personnel will possess a copy of the special orders while engaged in civil disturbance operations. Copies will be stockpiled at appropriate locations to facilitate expeditious distribution.

Tab: A - Special Orders

TAB A (SPECIAL ORDERS) TO APPENDIX 8 (SPECIAL INSTRUCTIONS) TO
ANNEX C (CONCEPT OF OPERATIONS) TO DEPARTMENT OF DEFENSE CIVIL
DISTURBANCE PLAN

SPECIAL ORDERS FOR CIVIL DISTURBANCE OPERATIONS

(1) Carry out your assigned duties in a military manner and present a neat military appearance at all times. Be sure that everything you do reflects credit upon your country, the military service, your unit, and yourself.

(2) Have regard for the human rights of all persons. Be as courteous toward civilians as possible under the circumstances. Do not mistreat anyone or withhold medical attention from anyone needing it. Do not damage property unnecessarily.

(3) Use only the minimum amount of force required to accomplish your mission and, if necessary, to defend yourself. When under the control of an officer, you will load or fire your weapon only on his orders. When not under the control of an officer, you will load or fire your weapon only when required to protect your own life or the lives of others, to protect specified property designated as vital to public health or safety, or to prevent the escape of persons endangering life or vital facilities; you are not authorized to use firearms to prevent offenses which are not likely to cause death or serious bodily harm, nor endanger public health or safety.

(4) When firing is necessary, if possible, shoot to wound, not to kill.

(5) When possible, let civilian police arrest lawbreakers. But when assistance is necessary or in the absence of the civil police, you have the duty and the authority to take lawbreakers into custody. Take such persons to the police or designated military authorities as soon as possible. Cooperate fully with the police by safeguarding evidence and completing records as instructed.

(6) Allow properly identified news reporters freedom of movement, so long as they do not interfere with the mission of your unit.

(7) Do not talk about this operation or pass on information or rumors about it to unauthorized persons; refer all civilians who ask for information about what you are doing to your commanding officer.

(8) Become familiar with these special orders, and carry this card on your person at all times when engaged in civil disturbance operations.

ANNEX D (LOGISTICS) TO DEPARTMENT OF DEFENSE CIVIL DISTURBANCE
PLAN

1. SITUATION.

- a. Intelligence. Annex B.
- b. Federal and State Forces. Basic plan.
- c. Attachments and Detachments. Annex A (Task Organization, Forces and Reaction Times).
- d. Assumptions. Basic plan.

2. MISSION. To establish logistics responsibilities, policies, and procedures and to provide logistics planning guidance for federal and state National Guard forces during all three phases of civil disturbance operations.

3. CONCEPT OF LOGISTIC OPERATIONS.

- a. Current logistics policies and directives will apply unless otherwise directed herein.
- b. Unless otherwise directed, reimbursement for logistical support will be executed IAW Annex P.

4. RESPONSIBILITIES.

- a. All Military Departments.
 - (1) Prescribe supply policy and procedures for service-peculiar items.
 - (2) Provide service-peculiar items to the JTF, as required.
- b. DA. Provide policy and direction concerning logistical plans, procedures, and requirements to all DOD components having cognizance over military resources which may be employed in civil disturbance operations.
- c. DN. Ensure that designated USMC civil disturbance forces maintain assigned riot control munitions and equipment in a serviceable condition and at authorized levels.

d. DLA.

(1) Prescribe supply policy and procedures for DLA support of civil disturbance operations IAW GARDEN PLOT.

(2) Provide DLA wholesale logistics support to the JTF, as required.

e. Operating Agent/Supported CINC (USCINCLANT/CINCFOR/USCINCPAC).

(1) Ensure that service components have adequate, effective and coordinated logistics support policies and procedures for civil disturbance operations within own AOR.

(2) Designate, when required, an installation in the vicinity of each AO as the base support installation (BSI) to support federal forces conducting civil disturbance operations; request that DOMS coordinate with affected service/ agency, as required.

(3) Establish procedures to critically review support requests submitted by the JTF to the BSI to ensure that only minimum essential support is provided.

(4) Direct service component responsible for BSI to provide a Logistics Liaison Team (LLT), on request of JTF, to the JTF headquarters.

(5) Ensure supply policies and procedures for common and Army-peculiar items are IAW the DA supply policy and procedures outlined in Appendix 2.

(6) Provide detailed guidance to JTF on supplies and equipment to be taken during deployment IAW Appendix 1.

(7) Provide logistical support, to include procurement assistance, to the JTF; establish procedures to ensure that subordinate commands providing logistical support conduct a critical review of support requests and fulfill valid requests by the most economical means.

(8) Ensure logistical support of attached National Guard units called to active federal service for civil disturbance operations.

(9) Require JTF commander to countersign all purchase requests over \$25,000.

(10) Inform Executive Agent (ATTN: DOMS) of all decisions made for resource requests over \$25,000.

f. FORSCOM.

(1) Maintain GARDEN PLOT body armor and communications/information management equipment (operational project) at the authorized level and in serviceable condition.

(2) On request of Operating Agent/Supported CINC, identify explosive ordnance disposal (EOD) resources to support the JTF.

g. AMC.

(1) Ensure that AMC wholesale supply policy and procedures are IAW the DA supply policy and procedures outlined at Appendix 2 of this annex.

(2) Provide AMC wholesale logistical support, as required, to federal forces conducting civil disturbance operations.

(3) Provide, on request of the Operating Agent/Supported CINC, a LAT to the JTF.

(4) Maintain GARDEN PLOT items (operational projects), except body armor, at authorized levels and in serviceable condition.

(5) Maintain assigned GARDEN PLOT communications/information management equipment (Appendix 1 to Annex G).

(6) Provide, as required, personnel to give technical assistance and to accompany GARDEN PLOT prepackaged communications-information management equipment.

(7) Provide project code for JTF supply support under any of the following conditions: upon initiation of CIDCON 4; when directed by DOMS; or on request of JTF commander.

h. USAISC. Maintain assigned GARDEN PLOT communications/information management equipment (Appendix 1 to Annex G).

i. Chief, National Guard Bureau.

(1) Ensure that National Guard supply policy and procedures are IAW the DA supply policy and procedures outlined in Appendix 2 of this annex and in Annex K (Loan of DOD Military Resources).

(2) Encourage TAGs of the states, the Commonwealth of Puerto Rico, and the U.S. possessions and U.S. territories to

maintain assigned riot control munitions and equipment in a serviceable condition and at authorized levels.

5. MATERIEL AND SERVICES.

a. General. The JTF will deploy from home stations with prescribed supplies and will be self-sustaining to the maximum extent possible.

b. Supply Support.

(1) Maximum reliance will be placed on the BSI in the AO as the primary source of supply support, with other DOD installations nearby furnishing back-up support, when directed.

(2) The LLT will provide information to the JTF commander on the availability of resources within the area and will render maximum assistance in forwarding supply support requests to the BSI. The LLT will be prepared to provide recommendations to the JTF commander on the feasibility of contemplated requests for supply support.

(3) The AMC LAT representative to the JTF will provide information on the availability of resources at installations and within the Army's wholesale supply system. The LAT will render maximum assistance in obtaining supplies from AMC depots or installation stocks.

c. Services.

(1) Maximum consideration will be given to contracting services and/or resources in the AO if comparable military support is not reasonably available, would be more costly to provide, or would not be timely or responsive. Contract agreements must meet the mission requirements of the JTF commander. In preplanned operations, all proposed contract agreements will be reviewed by the Operating Agent/Supported CINC prior to execution. Local funds will be used to the maximum extent available. Any shortfalls will be passed to the next higher command for resolution.

(2) The BSI and backup installations will provide such services as are readily available.

(3) Mortuary service is an individual military service responsibility and will be provided IAW respective service regulations.

(4) EOD support will be provided from the nearest installation with the required support. FORSCOM will identify

that installation at the request of the Operating Agent/Supported CINC.

(5) Additional service support guidance is provided at Appendix 3 of this annex.

6. MISCELLANEOUS.

a. Reports. Appendix 6 of Annex J and Tab A to Appendix 5, this annex.

b. Conservation of Resources. Due to the limited duration of civil disturbance operations, only those supplies, services and facilities essential to support the operation will be used. A request of an immediate nature, in support of ongoing operations, will be fulfilled in a timely manner and to the maximum extent possible; support will not be delayed in order to review the request. Such review should be conducted when operational immediacy is not a factor; conflicts concerning economy and feasibility resulting from this review will be referred to the next higher headquarters for resolution.

c. The JTF will ensure supplies and equipment in the AO are safeguarded to prevent their destruction, loss, or unauthorized use.

Appendixes: 1 - Suggested Materiel List for Deployment
2 - Supply Policy and Procedures
3 - Service Support Guidance
4 - List of GARDEN PLOT Materiel
5 - Transportation Movements Planning

APPENDIX 1 (SUGGESTED MATERIEL LIST FOR DEPLOYMENT) TO ANNEX D
(LOGISTICS) TO DEPARTMENT OF DEFENSE CIVIL DISTURBANCE PLAN

1. GENERAL.

a. Only the minimum essential supplies should be used to support the operation. Deployment via air transport of vehicles larger than 1 ¼-ton will be held to an absolute minimum. These vehicles must be mission-essential and will be limited to armored vehicles and to nonarmored vehicles modified for a special purpose (e.g., signal, mess, maintenance).

b. All preplanning for potential AOs will identify nearby military resources available to use in lieu of deploying supplies and equipment. To minimize airlift requirements, the type and number of military vehicles and items of equipment available in the area will be identified, and arrangements for their use by the JTF will be done by the planning headquarters.

2. CLASS I. Three days operational rations (meal, ready to eat [MRE]).

3. CLASSES II, IV, VII, VIII, IX.

a. Expendable supplies and repair parts for routine operations - 15 days.

b. Augmentation to repair parts load to support civil disturbance mission - 15 days.

c. Armor, body, fragmentation protective; baton wooden, 36 inches; and face shields, plastic, riot control - Basis of issue for Army as contained in Common Table of Allowances (CTA) 50-900, Clothing and Individual Equipment (Active Army, Reserve Components and DA civilian employees).

d. Mask, protective field - one per JTF member.

e. Individual weapons with bayonet knife and scabbard (Weapons will be modified with lock plates to prevent automatic operation if capable of automatic fire) - one per JTF member.

f. M-249 Squad Automatic Weapon (SAW)/M-60 machine gun (MG) (if authorized by Operating Agent/Supported CINC) - as directed by Operating Agent/Supported CINC.

g. Launcher, Grenade, 40-mm, M203 - four per company.

h. Disperser, Riot Control Agent, Portable M33A1 - per unit Table of Organization and Equipment (TOE) or one per company if forces of battalion-size or larger are committed

(Disperser M3 is authorized for issue in lieu of Disperser M33 if M33 unavailable from AMC assets).

i. Disperser, Riot Control Agent, helicopter or vehicle mounted, M5 - one per battalion.

j. Mask, Protective, Aircraft, M24 - three per helicopter equipped with the M5 Riot Control Disperser.

k. Compressor, AN-M4, 3 1/2 CFM (support item for M33A1 and M5 Riot Control Dispersers) - one per battalion.

l. Kit, Service, Portable Riot Control M-27 and M-254 (support item for M33A1 and M5 Riot Control Dispersers) - one per brigade or battalion headquarters.

m. Except as provided above, only minimum mission-essential TOE, Table of Distribution and Allowances (TDA), and individual equipment will be deployed.

n. Special riot control items - authorized by Basis of Issues (BOIs) furnished by DA.

4. CLASSES III and IIIA. For surface movement, vehicle tanks, organic tankers, and gas cans will be full. For air movements, vehicle tanks will be three-fourths full; other containers will be as authorized IAW Army FM 10-69.

5. CLASS V. Authorized quantities are below.

a. Ammunition.

(1) 60 rounds per rifle.

(2) 800 rounds per M-249 SAW/M-60 MG (when weapon is authorized).

(3) 21 rounds per .45-caliber pistol.

(4) 30 rounds per 9-mm pistol.

(5) 18 rounds per .38 caliber pistol.

(6) 10 rounds, 12 gauge #00 buckshot, per shotgun.

(7) 10 rounds, 12 gauge #9 birdshot, per shotgun.

(8) 10 rounds, 12 gauge #7 birdshot, per shotgun.

b. Bulk allotment items per company.

(1) 548 each grenade, hand, riot, M47 (grenade M25A2 may be issued in lieu of M47).

(2) 48 each grenade, hand, smoke, white, HC, AN-M8.

(3) 20 each cartridge, 40-mm, riot control CS M674 (not to exceed 200 per brigade).

(4) 10 each cartridge, 40-mm, tactical CS M651 (not to exceed 100 per brigade).

c. Bulk allotment items per item of equipment.

(1) 64 pounds riot control agent, CS1 per Disperser, Riot Control, Portable, M33A1.

(2) 240 pounds riot control agent, CS1 per Disperser, Riot Control, helicopter or vehicle mounted M5.

d. Ammunition items listed above which require installation stockage of quantities over and above the approved unit TOE basic load will be obtained using normal procedures (Project codes assigned as outlined in paragraph 1c, Appendix 2, this annex, will be used for this purpose).

e. Minor deviations from the above authorized quantities of ammunition are permissible to allow for prepackaged amounts.

6. CLASS VI and X. Not applicable.

7. SPECIAL ITEMS. The JTF commander may wish to use special items from the list below to meet unique mission requirements. If not on hand during deployment, the JTF may request these items through the AMC LAT.

a. Concertina wire with stakes (Class IV).

b. Public address system, either individual hand-held type (bullhorn) or vehicle-mounted type (Class II G).

c. Searchlights suitable for mounting on vehicles or aircraft (Class VII G).

d. Sniper rifle with scope (Class VII M).

e. Shotgun, 12 gauge, Riot Type: 20-inch barrel (Class VII M).

f. Radio Transmitter AN/PRT-4.

- g. Radio Receiver AN/PRR-9.
- h. Disperser, Riot Control Agent, manually carried, M36.

APPENDIX 2 (SUPPLY POLICY AND PROCEDURES) TO ANNEX D (LOGISTICS)
TO DEPARTMENT OF DEFENSE CIVIL DISTURBANCE PLAN

1. GENERAL.

a. Existing supply policies and procedures will apply unless otherwise directed herein.

b. Supply policy and procedures for the loan of military resources for civil disturbance operations to state and local governments and law enforcement agencies, the National Guard and federal agencies are prescribed in Annex K (Loan of DOD Military Resources).

c. A separate project code for each objective area will be required for each JTF; this code will be used for all classes of supply to identify materiel requisitioned for civil disturbance operations. When a JTF attains CIDCON 4 (or when requested by DOMS or JTF commander), AMC will announce the project code to all affected organizations.

d. An 02 issue priority and the project code will be used on all requisitions submitted for materiel required by the JTF for mission accomplishment. Requisitions for materiel required for mission accomplishment by other federal forces involved in civil disturbance operations will contain the issued priority designator commensurate with the unit's FAD and the urgency of need.

2. CLASS I.

a. Field Ration "A" will be provided to the JTF as soon as possible after deployment to the objective area.

b. JTF personnel are authorized Basic Allowance for Subsistence (rations in kind not available), only when it is not practical or feasible to use the Field Ration "A" or MRE.

3. CLASS II, IV, VII, VIII and IX.

a. Interservice support, as appropriate, will be used to the maximum extent possible.

b. With the exception of subparagraphs c, d and e below, supply procedures will be established by the Operating Agent/Supported CINC.

c. Requests for GARDEN PLOT body armor will be forwarded through command emergency operations center channels to the Executive Agent (ATTN: DOMS). Release will be made by FORSCOM

after DOMS approval. FORSCOM will issue necessary movement instructions. Requesting units will return body armor IAW the issue/loan agreement. All costs associated with the return will be the requestor's responsibility.

d. Requests for GARDEN PLOT communications/information management equipment will be processed IAW procedures pre-scribed in Appendix 1 of Annex G).

e. Requests for equipment listed in Appendix 4 (List of GARDEN PLOT Materiel) of this annex, other than body armor, in excess of authorized levels will be processed IAW procedures prescribed in paragraph 6 below.

4. CLASS III.

a. Military sources, to include cross-servicing arrangements, will be used when readily available.

b. The JTF will be authorized bulk purchases from commercial sources IAW DOD 4140.25-M when military sources are not readily available.

c. Credit cards, as required, will be provided to the JTF by the responsible service component, installation, or BSI, as appropriate.

5. CLASS V.

a. Small arms ammunition is a service responsibility.

b. Riot Control Munitions.

(1) Requests for normal replenishment of authorized training stocks and basic loads will be processed IAW current supply policies and directives.

(2) Requests for riot control munitions in addition to authorized training stocks and basic loads will be processed IAW paragraph 6 below.

6. GARDEN PLOT ITEMS. Requests for GARDEN PLOT items, other than those outlined in paragraphs 3c and d above, in excess of current authorized levels that cannot be satisfied on a timely basis from normal support resources, will be processed IAW with the following procedures:

a. General.

(1) Requests will be telephonically submitted in the format prescribed at Appendix 1 (Request and Report Format) to Annex K and be confirmed by hard copy.

(2) Requests for GARDEN PLOT items will be submitted to the DOMS by the National Inventory Control Point (NICP) through the AMC Operations Center.

(3) AMC will issue movement instructions for all GARDEN PLOT items, except body armor, unless transportation instructions are included in the request for these items. If the items cannot be moved to the destination designated by the requesting command within eight hours after the request is received by the AMC depot, the DOMS should be contacted to coordinate the transportation.

(4) Requesting units will return items which have not been expended or consumed. All costs associated with the returns will be the responsibility of the unit.

(5) Release of CLASS V will not be made from GARDEN PLOT controlled stocks until other available depot stocks have been exhausted.

b. Pre-Deployment Procedures (see Tab A of this appendix).

(1) Requests will be submitted to the appropriate Installation Supply Office (ISO) for forwarding through command emergency operation center channels to the AMC Operations Center.

(2) The AMC Operations Center will telephonically direct the appropriate NICP to release the materiel requested and will inform DOMS of the request/shipment.

(3) Based on transportation instructions issued by AMC or provided in the request, the NICP will direct the appropriate depot to ship the materiel requested. The NICP will also inform the ISO of the shipment and will request submission of a formal requisition.

c. Post-Deployment Procedures (see Tab B of this appendix).

(1) The LLT may telephonically submit requests to the BSI for forwarding directly to the NICP. Information on the request/shipment will be furnished to the supporting service

component or Operating Agent/Supported CINC, as appropriate, and to AMC Operations Center and DOMS.

(2) Based on transportation instructions issued by AMC or provided in the request, the NICP will direct the appropriate depot to ship the materiel requested. The NICP will also inform the BSI of the shipment and will request submission of a formal requisition.

7. PREPOSITIONING.

a. To reduce reaction time, an operating Agent/Supported CINC may request that riot control munitions and equipment be released from AMC depots and prepositioned near the AO.

b. Requests for prepositioning will be telephonically submitted in the format prescribed at Appendix 1 (Request and Report Format) to Annex K, through command emergency operations center channels to the DOMS for approval.

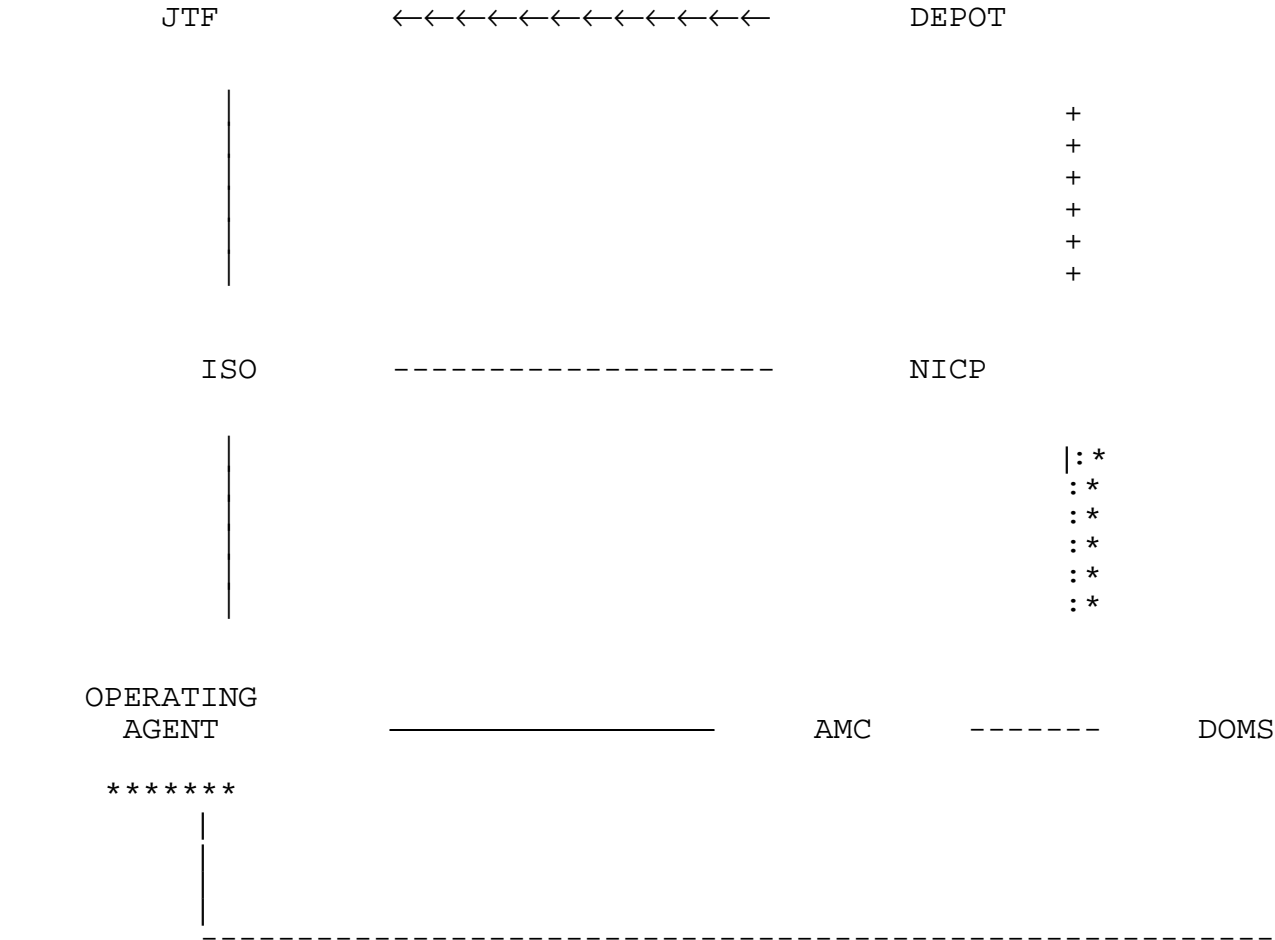
c. Upon approval of the request, the DOMS will inform the Operating Agent/Supported CINC and will direct the AMC Operations Center to effect release of the requested items.

d. Prepositioned items may remain under DOMS control or be released to the Operating Agent/Supported CINC.

e. The requesting command will return prepositioned items not expended or consumed IAW the issue/loan agreement.

TABS: A - Procedures Prior to Deployment
B - Procedures After Deployment

TAB A (PROCEDURES PRIOR TO DEPLOYMENT) TO APPENDIX 2 (SUPPLY
POLICY AND PROCEDURES) TO ANNEX D (LOGISTICS) TO DEPARTMENT OF
DEFENSE CIVIL DISTURBANCE PLAN



KEY:

_____ REQUEST

----- INFORMATION

..... RELEASE INSTRUCTIONS

***** RELEASE REQUEST/APPROVAL (for GARDEN PLOT Class V
stocks or for advance prepositioning in AO

+++++++ SHIPMENT DIRECTIVE

←←←←← SHIPMENT

TAB B (PROCEDURES AFTER DEPLOYMENT) TO APPENDIX 2 (SUPPLY POLICY
AND PROCEDURES) TO ANNEX D (LOGISTICS) TO DEPARTMENT OF DEFENSE
CIVIL DISTURBANCE PLAN

[illegible]

KEY:

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_____ REQUEST
----- INFORMATION
..... RELEASE INSTRUCTIONS
***** RELEASE REQUEST/APPROVAL (for GARDEN PLOT Class V
                                stocks)
+++++++ SHIPMENT DIRECTIVE
<<<<<< SHIPMENT

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APPENDIX 3 (SERVICE SUPPORT GUIDANCE) TO ANNEX D (LOGISTICS) TO
DEPARTMENT OF DEFENSE CIVIL DISTURBANCE PLAN

1. LAUNDRY.

a. As an exception to paragraph 7-4b, AR 210-130, authority is granted to provide laundry services at government expense to the JTF when deployed from its home station for civil disturbance operations. This authority is limited to military personnel of the Active Army, the Reserve Components (when called to active federal service or ordered to active duty), and military personnel of other services similarly engaged in civil disturbance operations. Whenever possible, laundry service will be provided through government fixed or mobile laundry facilities. Laundry service will be provided through commercial contractual arrangements only when the commander tasked to provide logistical support to the JTF determines that suitable service is not otherwise available.

b. Service provided by Army-operated facilities to Army personnel will be charged to OMA fund code E4000 for laundry and dry cleaning services. OMA fund code E4000 will also be cited to cover the cost of laundry and dry cleaning services for Army personnel when the service is provided to military personnel other than Army; the services whose personnel receive this support will support the costs incurred.

2. BATH.

a. Provided by nearest military installation, whenever practicable.

b. Provided by mobile bath or decontamination units, if available.

c. If military facilities are not available, universities, high schools, armories, and recreational facilities will be utilized after necessary coordination.

3. MAINTENANCE.

a. JTF elements will be responsible for organizational maintenance on organic equipment.

b. The Operating Agent/Supported CINC will provide direct and general support maintenance for JTF elements in the AO as required, to include prompt initiation of contract or interservice/intraservice agreements with other governmental agencies, if required.

c. Maximum use will be made of maintenance support capabilities at nearby military installations to support the JTF.

d. The Operating Agent/Supported CINC should evaluate the utility of mobile maintenance contact teams, as required, to assist the JTF in the AO.

e. Depot-level maintenance remains the responsibility of the parent service.

4. ENGINEER.

a. Real Estate.

(1) The Operating Agent/Supported CINC will provide field personnel, as required, to permit rapid and efficient execution of real estate usage. User agreements for known JTF facility requirements may be executed by the appropriate Engineer Division/District Commander on request of the Operating Agent/Supported CINC. If considered necessary by the Operating Agent/Supported CINC, and with the concurrence of the appropriate civil authorities, arrangements for use of facilities may be concluded as a planning action prior to initiation of civil disturbance operations. The requirement for real estate actions to be handled on a need-to-know basis should not be allowed to interfere with necessary real estate arrangements, either before or after deployment of the JTF. Although U.S. Army Engineer Division/District commanders are responsible for the acquisition of real estate, responsibility for the release of any information concerning a plan or change in an existing plan, is with the Operating Agent/Supported CINC; initial contacts with public officials or private property owners to arrange use of real property will therefore be made by the Operating Agent/Supported CINC. The Engineer Division/District Commander, or his real estate representative, will accompany the Operating Agent/Supported CINC's representative to provide technical support.

(2) The JTF staff will include an officer to coordinate real estate matters through and ICW the responsible Engineer Division/District Commander represented on the Engineer Liaison Team (ELT) (see paragraph 4d).

(3) In developing his plan, the JTF commander will make maximum use of federally controlled property rather than other property. Property use will be coordinated as follows:

(a) Property under DOD control. Direct coordination is authorized with all elements of DOD to arrange use of DOD-controlled property.

(b) Property controlled by other federal agencies and property not under federal control.

1 Real estate operations will be coordinated by the Engineer Division/District Commander who performs military real estate operations in the applicable area.

2 The Engineer Division/District Commander will advise the JTF Commander on required procedures prior to recon-naissance and occupation of property not under DOD control.

3 Direct coordination with the Engineer Division/District Commander should be maintained for real estate matters and to keep the Engineer Division/District Commander informed on JTF requirements.

(4) Requests by the National Guard, when on state active duty, for use of Active Army and USAR facilities, can be approved or disapproved at Army major subordinate command level except when such operations would violate federal statutes. Written agreements to formalize use of U.S. Army Reserve facilities for periods of occupancy in excess of 24 hours will include a provision for dual-occupancy (normal occupant of facility and borrowing agency). The reporting requirements of paragraph 7, Annex K, apply to requests for use of federal facilities.

b. Construction. When facilities are not available locally, required temporary facilities will be constructed IAW current Army standards and regulations. Maximum use will be made of structures/materiel available through the military supply system.

c. Utilities.

(1) Electric power will be provided from existing military real property facilities, except USAISC facilities, to the maximum extent possible. Additional electric power requirements will be satisfied through coordination with the LLT.

(2) Water will be obtained from approved sources only. Coordination for water use will be done by the LLT. Construction requirements will be coordinated with the Engineer Division/District Commander who performs military construction operations in the area concerned.

(3) Sanitation will be through use of local sanitation facilities wherever possible. Coordination for additional facilities will be through the LLT.

d. On request of the JTF cdr, USACE will deploy an ELT to provide support and advice regarding real estate and contract construction matters.

5. TRANSPORTATION.

a. Unit movement requirements for deployment and redeployment will be reported as follows:

(1) Through the commander's OPREP-1 procedures, IAW Tab A to Appendix 5 of this Annex.

(2) Confirmations or changes, as prescribed in Appendix 1 to Annex J.

b. Transportation requirements will be identified by the CINC having responsibility for the movement IAW paragraph 2f of Annex C. The Operating Agent/Supported CINC will validate all transportation requirements using the movement priority designator provided in the alert order (see Appendix 1 to Annex C). The responsible CINC will then submit his transportation request to USCINCTrans. The movement priority designator for redeployment during Phase III may not be the same as the designator for the deployment during Phase I.

c. Organic transportation will be used whenever possible. Surface transportation assets belonging to the JTF should be pooled to move units to, within, and from the AO. Sources of surface transportation support, by priority, are:

(1) JTF transportation assets.

(2) Local active military installation motor pool assets.

(3) Other federal governmental motor pool assets (e.g., General Services Administration [GSA]).

(4) Commercial transportation equipment. (Paragraph 306006, AR 55-355, NAVSUPINST 4600-70, AFM 75-2, MCO P4600, as changed, delegates authority to Installation Transportation Officers to make local arrangements for commercial carrier routings by bus or rail for any number of personnel when the one-way distance (highway mileage) does not exceed 450 miles).

d. Transportation requirements exceeding the JTF's organic assets and available support resources will be submitted to the Operating Agent/Supported CINC for logistical support.

e. Units designated for civil disturbance operations will prepare required air loading plans in coordination with local

USAF Airlift Control Elements (ALCE) or appropriate USAF representatives. Loading plans will be for airlift via C-130, C-141, or C5 aircraft; these plans will assure maximum utilization of allowable cargo loads (ACL) prescribed for these aircraft.

f. Transportation for National Guard units on state active duty will be provided using their state's National Guard resources. When on active federal status, the National Guard will receive transportation support provided by the Operating Agent/Supported CINC.

6. FUNDING. If private real estate is required, the using command must certify that funds are available and provide a fund cite. Lease/use of federal building space can be managed using standard level user charges payable with funds available to USACE.

APPENDIX 4 (LIST OF GARDEN PLOT MATERIEL) TO ANNEX D (LOGISTICS)
TO DEPARTMENT OF DEFENSE CIVIL DISTURBANCE PLAN

The following materiel may be released to the JTF on approval of the DOMS to support civil disturbance operations (see Appendix 2 to Annex G for GARDEN PLOT communications/ information management assets available for issue).

		LOCATION OF ITEMS:			
LETTERKENNY		TOOELE ARMY		LEXINGTON- BLUEGRASS	
	ITEM	DEPOT	ARMY	DEPOT	ARMY
<u>DEPOT</u>					
	Disperser, Riot Control Agent, M33A1	12		12	12
	Disperser Riot Control Agent, M5	2		2	2
	Service Kit M27 NSN 1040-00-736-3230	1		1	1
	Compressor AN-M4C, 3 1/2 CFM Service Kit M254 NSN 1040-00-157-6974	4 4		4 4	4 4
	Grenade, Hand CS M47 (see Note 1)	6,600		6,600	6,600
	Riot Control Agent CS in 8-pound Plastic Bottles NSN 1365-00-926-1914	1,200		1,200	1,200
	LIN R 99764 NSN 1365-00-926-1914 Cartridge, 40MM, Riot Control CSM674	200		200	200
	Cartridge 40-mm, tactical	100		100	100
		<u>SHARPE</u>		<u>NEW</u>	
<u>CUMBERLAND</u>		<u>ARMY DEPOT</u>		<u>ARMY DEPOT</u>	
	Mask, Protective (see Note 2)	2,500		2,500	
		<u>FORT MEADE</u>		<u>PRESIDIO SAN</u>	
<u>FRANCISCO</u>	Protective Vests	2,500		2,500	

		TOBYHANNA ARMY DEPOT	BLUEGRASS ARMY DEPOT	LEXINGTON- SACRAMENTO ARMY DEPOT
Starlight Scopes AN/PVS-2 (10)	0	5	5	
Search Light, Xenon AN/MSS-3 (4)	0	2	2	

Note 1: M25A2 may be used until current supplies are exhausted.

Note 2: Protective mask sizes are available in the following proportions:

11% size small - NSN - 4240-00-926-4199
78% size medium - NSN - 4240-00-926-4201
11% size large - NSN - 4240-00-926-4200

Protective masks are normally issued with the M-13A1 filter, which is acceptable for riot control purposes. If protective masks are to be used where imminent danger of exposure to a toxic chemical agent exists, the M-13A2 filter, NSN 4200-00-165-5026, should be requested for use in lieu of the M-13A1.

APPENDIX 5 (TRANSPORTATION MOVEMENTS PLANNING) TO ANNEX D
(LOGISTICS) TO DEPARTMENT OF DEFENSE CIVIL DISTURBANCE PLAN

1. PURPOSE. This appendix establishes general guidelines for cost effective planning and execution of movements of federal forces in support of civil disturbance operations.

2. OBJECTIVE. The objective of civil disturbance transportation movement planning is to assure movement of required forces to the AO in a mission-ready status while minimizing the incidental costs to DOD and the impact of unprogrammed budget costs to the military departments.

3. GENERAL.

a. Movement of federal forces in support of civil disturbance operations will be planned and executed in a manner to assure optimum responsiveness, efficiency, and economy consistent with operational requirements.

b. Modes of transportation selected will be that which satisfactorily meets the DOD requirement after weighing all factors to include costs. In determining the transportation mode, consideration will be given to required closure times, distances involved, airfield facilities near the AO, quantity and availability of required transportation assets, and the cost of transportation to, within, and from the AO.

4. PROCEDURES.

a. During the planning stage of an imminent civil disturbance operation, specific forces will be designated to comprise the JTF. Force requirements will be established by the Operating Agent/Supported CINC. Supporting commands and DOD agencies will resource these requirements, as tasked.

b. The Operating Agent/Supported CINC will validate transportation of forces to USCINCTrans for transportation scheduling.

c. Transportation Component Commands (TCCs), ICW United States Transportation Command (USTRANSCOM) and supported and supporting commands, will develop and publish transportation schedules.

d. On order of the Executive Agent, USTRANSCOM will execute the transportation schedules through TCCs.

e. Supporting CINCs will ensure the Operating Agent/Supported CINC is kept informed of movement planning for augmenting forces. The Operating Agent/Supported CINC will

consolidate all planned and actual movements using the Joint Task Force Movement summary provided at Appendix 1 to Annex J and forward this summary to the Executive Agent.

f. Upon initiation of movement, MAC and Military Traffic Management Command (MTMC) will closely monitor departures and arrivals of transport to ensure timely closure of civil disturbance units.

TABS: A - Deployment Reporting Procedure

TAB A (DEPLOYMENT REPORTING PROCEDURE) TO APPENDIX 5
(TRANSPORTATION MOVEMENTS PLANNING) TO ANNEX D (LOGISTICS) TO
DEPARTMENT OF DEFENSE CIVIL DISTURBANCE PLAN

COMMANDER'S OPERATIONAL PLANNING REPORT
(OPREP-1) (RCS-DD-A(AR)1112)

1. PURPOSE. To provide USTRANSCOM with UMD for forces for a contingency or actual civil disturbance mission.
2. PREPARING AGENCY. CINC responsible for movement IAW Annex C, paragraph 2f.
3. REPORT SUBMISSION.
 - a. Frequency: As required to inform and update USTRANSCOM/TCCs on movement requirements.
 - b. Preparation: USTRANSCOM will be TO addressee. MAC, MTMC, and Executive Agent (also Operating Agent/Supported CINC when prepared by a supporting CINC) will be INFO addressees. Under increased CIDCON (CIDCON 1 through 4), the preparing CINC will submit significant changes to the report to all addressees (when necessary, by abbreviated OPREP-1 message or by telephone).
 - c. Subject Line: Deployment Reporting Procedure (DEPREP) -- Number [REPORT SEQUENCE NUMBER] (GARDEN PLOT).
4. PREPARATION INSTRUCTIONS. Information will be provided in the following format:
 - a. Unit designation and line number.
 - b. Location.
 - c. Strength.
 - d. Equipment.
 - (a) Number of vehicles and trailers by type (plus their loaded weight and cubic volume).
 - (b) Weight and cubic volume of other cargo (less vehicles and trailers, both empty and loaded).
 - e. Contact name and telephone number at onload airfield.
 - f. Contact name and telephone number at offload airfield.

ANNEX E (PERSONNEL) TO DEPARTMENT OF DEFENSE CIVIL DISTURBANCE
PLAN

1. REFERENCES.

- a. AR 5-9
- b. AR 40-2
- c. AR 40-3
- d. AR 40-535
- e. AR 60-20
- f. AR 140-185
- g. AR 215-1
- h. AR 570-4
- i. AR 600-8-1
- j. AR 608-2
- k. DA Pamphlet 600-8-2
- l. DA Pamphlet 608-33
- m. AR 614-185
- n. AR 614-200
- o. AR 672-5-1
- p. AR 680-1
- q. Appropriate publications of other services

2. INTRODUCTION. This annex establishes personnel responsibilities and planning guidance for forces conducting operations IAW this OPLAN.

3. MEDICAL SUPPORT. See Appendix 1, this annex.

4. PERSONNEL.

a. Strength accountability is a service responsibility; however, in the case of interservice attachments, account-ability will be the responsibility of the JTF commander.

b. Processing of reserve component personnel will be IAW with the FORSCOM Mobilization and Planning System.

c. Army Forces Strength Accountability.

(1) Current reporting procedures contained in AR 680-1 will apply to active Army units employed IAW this OPLAN.

(2) Reserve component units ordered to active duty under this OPLAN will accomplish the following:

(a) Prepare final DA Form 1379 (Record of Reserve Training) IAW NGR 680-1 or AR 140-185, as appropriate. This form will be used for strength accountability purposes for units ordered to active duty for periods of less than 30 days. For units ordered to active duty for periods greater than 30 days, this form will be used to access personnel into Standard Installation Divisional Personnel System (SIDPERS) through the Mobilization Personnel System (MOBPERS) (See DA Pam 600-8-2, procedure 6).

(b) Once DA Form 1379 is completed and appropriate personnel musters are taken, units will extract and consolidate pertinent strength data by military personnel class.

(c) This data will be verified by the unit commander and strength feeder reports provided, through channels, to the appropriate JTF commander.

d. Personnel Status Reports (PERSTAT) (See Appendix 5 to Annex J).

e. Casualty Notification.

(1) Casualty notification is a service responsibility and will be performed IAW respective service regulations.

(2) Casualty notification for active Army and for reserve component and National Guard personnel ordered to active federal service is prescribed in AR 600-8-1. Disposition of Record of Emergency Data (DA Form 93) and Serviceman's Group Life Insurance election (SGLV-8286) will be as prescribed in AR 600-8-1 and AR 608-2, respectively. Line of duty investigations will be processed IAW AR 600-8-1.

f. Replacements.

(1) Maintenance of force strength of units is a service responsibility. Units will deploy from home stations with all available personnel IAW the prescribed task organization for the operation. Firemen and law enforcement personnel may be

exempted from deployment when their services are needed at home stations because of the threat of civil disturbances.

(2) Only when specifically authorized by the appropriate service, reserve components of the armed forces on active duty will requisition replacements from active service personnel resources to replace losses incurred. Such replacements required for the implementation of this plan will be provided on a temporary duty basis.

g. Morale and Welfare. Morale and welfare support of units conducting civil disturbance operations is a service responsibility. In the AO, the Operating Agent/Supported CINC will ensure:

(1) Assistance is furnished for dependents of deployed personnel (coordinating with supporting CINCs and other organizations, as necessary).

(2) Post exchange facilities and motion picture services are provided, insofar as possible. Direct contact IAW applicable service regulations by the Operating Agent/ Supported CINC with the Chief, Army and Air Force Exchange System (AAFES), and subordinate elements thereof, is authorized in order to develop and execute plans for this support.

(3) Policies and procedures regarding the following areas will be incorporated in plans to support morale and welfare:

- (a) Finance.
- (b) Leave and passes.
- (c) American Red Cross/Army Emergency Relief.
- (d) Decorations and awards.
- (e) Legal assistance.
- (f) Religious services.
- (g) Recreational activities.
- (h) Free 16-mm motion picture service.

(4) If required, unit (site) Exchange Officers will be appointed and exchanges operated IAW applicable service regulations.

(5) Welfare funds will be established IAW applicable service regulations, if required.

(6) Chaplain support for JTF personnel will be sufficient to provide normal coverage.

h. Processing of Nonmilitary Evacuees.

(1) The Operating Agent/Supported CINC (USCINCLANT/CINCFOR/USCINCPAC) should include provisions to use non-military government service organizations to the maximum extent practicable to process and handle nonmilitary evacuees during civil disturbance operations.

(2) Plans for using military resources will be contingent upon the inability of nonmilitary organizations to provide these services. Such plans will require resumption of nonmilitary control and assistance at the earliest practicable time.

(3) Coordination is authorized for planning purposes at the local level among service organizations, as required.

i. Detention.

(1) Primary responsibility for civilian detention operations rests with local, state and federal law enforcement agencies. As a matter of policy, federal forces will be used for temporary holding and processing of civilians and for detention only when absolutely necessary.

(2) Civil disturbance contingency plans governing the employment of federal forces will include provisions for providing detention assistance to civilian authorities. Plans for this assistance will cover the full range of possible support, from assisting police in guarding detainees to operating detention facilities. Such assistance will be predicated on the turnover of this responsibility to civil authorities as soon as practicable.

(3) Federal military forces may also assist civil police officers in the preparation of arrest cards and in other procedures employed by civil police in arresting offenders.

(4) When federal military forces are required to establish and operate temporary detention facilities, these facilities will be under the professional supervision and control of Army Military Police Corps personnel and will be subject to the following provisions:

(a) The JTF commander must verify that available federal, state and local confinement facilities and personnel cannot effectively accommodate the number of apprehended persons awaiting arraignment and trial by civil jurisdiction.

(b) The Operating Agent/Supported CINC must personally approve the establishment and operation of the temporary detention facility by federal military forces. Establishment of a detention facility on military property will require the approval of the Assistant Secretary of the Army Installations, Logistics & Environment).

(c) The persons to be temporarily detained must have been apprehended by military or civilian authorities for violation of federal, state, or local laws and ordinances. These persons must be awaiting arraignment and trial by civil jurisdiction and not have been arraigned and tried.

(d) Commanders should avoid detaining females in temporary military detention facilities. Females apprehended during civil disturbance operations will immediately be turned over to civilian confinement facility personnel for detention. While awaiting turnover of female detainees to civil authorities, female military police should be employed as guards whenever possible.

(e) The establishment and operation of temporary military detention facilities for civil offenders is a temporary expedient and is authorized only until such time as the custody of detained persons can be transferred to and assumed by civil authorities.

(f) To the maximum extent feasible, the operation of temporary military detention facilities will conform to the spirit and intent of regulations and manuals governing the operation of military confinement facilities.

j. Legal Matters.

(1) Legal matters are a service responsibility.

(2) Army tort claims.

(a) Investigation and processing of third party tort claims resulting from the implementation of this OPLAN are the responsibility of the area claims authority (paragraph 1-3d, AR 27-20) in whose geographical area of responsibility the civil disturbance occurs. All third party tort claims will be processed under AR 27-20. The disaster claims plan for the area claims authority will be invoked, if required.

(b) Any tort claims involving Army National Guard personnel/units while on state active duty are outside the scope of Federal Tort Claims Act coverage (Public Law 97-124) and are the responsibility of the appropriate state authorities.

(c) Claims generated by members of other DOD components will be referred to the appropriate service for processing IAW applicable directives of that service.

(d) Claims for losses of or damage to personal property by members of the uniformed services will be processed IAW the directives of the respective uniformed services of the service members involved.

(3) Court-martial jurisdiction: Upon the establishment of a JTF, the Operating Agent/Supported CINC will attach activated reserve component personnel to a general courtmartial jurisdiction within the vicinity of the AO. Ordinarily, this will be the commander of the installation having geographical responsibility under the Absentee Apprehension, Physical Security and other Provost Marshal Activities Area Map (see Appendix B, AR 5-9).

(4) The commander of the installation having geographical responsibility under the Absentee Apprehension, Physical Security and other Provost Marshal Activities Area Map (Appendix B, AR 5-9) will be prepared to provide professional and clerical assistance (one major, one captain, and two enlisted men) to the Office of the Judge Advocate General (OTJAG) member of the JTF headquarters, on request.

k. Foreign Trainees. Commanders of installations furnishing units under this plan will ensure that foreign personnel present at these installations for training are not included in the units deployed in an operational, support, or observer status.

l. Female Personnel. Female personnel of the armed services may be members of the JTF. This includes their membership in units directly committed to aggressive operations (e.g. controlling a dissident crowd). Although the potential exists for escalation of violence during civil disturbance operations, these operations are essentially defensive in nature and within the normal spectrum of law enforcement functions in which women would normally participate.

m. Civilian Personnel.

(1) Civilian employees may be authorized overtime within funds available or by making funds available.

(2) The employment of civilian personnel may be used to meet increased support workloads imposed by civil disturbance operations on BSIs IAW current policy and regulations.

n. Mail Service. Mail service for deployed units will be maintained. If the civil disturbance has also disrupted operations of the U.S. Postal Service, the Operating Agent/Supported CINC should be prepared to simultaneously support execution of the Postal Augmentation Plan, GRAPHIC HAND.

o. Armed Forces Courier Service (ARFCOS). ARFCOS will be prepared to provide courier service as required to include transfer of other than TOP SECRET material necessary to implement high priority plans and actions. Use of ARFCOS to transfer other than TOP SECRET material will be restricted to matters of extreme emergency and when personnel from other sources are unavailable.

p. Publications. Publications Directorate, Office of the Adjutant General, will be prepared to provide increased support, as required.

q. Mortuary Services. The BSI will provide mortuary service in its geographical area IAW with AR 600-8-1.

Appendix: 1 - Medical Support.

APPENDIX 1 (MEDICAL SUPPORT) TO ANNEX E (PERSONNEL) TO DEPARTMENT
OF DEFENSE CIVIL DISTURBANCE PLAN

1. REFERENCES.

- a. Joint Pub 0-2.
- b. AR 40-2.
- c. AR 40-3.
- d. AR 40-121.
- e. AR 40-330.
- f. AR 40-535.
- g. FM 19-15.

2. SITUATION. Basic plan.

3. MISSION. To provide essential medical support to the JTF in the AO when federal forces are committed to civil disturbance operations.

4. POLICIES.

a. To support civilian medical requirements, primary reliance will be on civilian medical facilities.

b. Military facilities will augment civilian capabilities only to provide essential medical support necessary to prevent undue suffering and loss of life or limb.

c. Civilians admitted to military hospitals will be transferred to civilian hospitals as soon as medically feasible.

d. Military personnel will be admitted to civilian hospitals only in an emergency.

e. Military personnel admitted to civilian hospitals will be transferred to military hospitals as soon as medically feasible.

f. Requirements for medical support beyond the capability of the Operating Agent/Supported CINC should be forwarded to the DOMS for coordination and action.

g. Medical reports will be submitted IAW current, applicable regulations.

h. Medical units and medical personnel providing medical support to military and other personnel in connection with a civil disturbance will be utilized in consonance with assigned missions and specialties. Medical personnel will wear the distinctive medical insignia (arm brassard) when performing medical duties. Equipment to be carried or worn by medical personnel will be prescribed by the JTF commander.

ANNEX F (PUBLIC AFFAIRS) TO DEPARTMENT OF DEFENSE CIVIL
DISTURBANCE PLAN

1. REFERENCES.

- a. DOD Directive 3025.12.
- b. AR 360-5.
- c. AR 360-81.
- d. AR 380-13.
- e. AR 500-50.

2. SITUATION. Basic plan.

3. MISSION.

a. To provide the public with prompt and accurate information concerning all aspects of military support to civil disturbance operations.

b. To ensure military personnel of the JTF are kept informed about: the civil disturbance situation; their mission, duties, and responsibilities; and their relationships with municipal authorities, the local populace, and the news media.

c. To ensure that the families of military personnel comprising the JTF are briefed on the deployment of forces for civil disturbance operations.

4. CONCEPT.

a. Public affairs (PA) policy is to provide the public with prompt, responsive, accurate information through cooperation with and service to news media representatives.

b. In PA efforts, the following points will receive emphasis:

(1) DOJ is acting as the lead federal agency.

(2) The Secretary of the Army is acting as DOD Executive Agent on behalf of the Secretary of Defense and is in support of the DOJ.

(3) DOD's mission in civil disturbance operations is to assist civil authorities in restoring and/or maintaining law and order.

(4) Civil disturbance operations will be conducted using only the minimum force required.

c. The governing principle of PA efforts will be to disclose the maximum amount of accurate information about the civil disturbance operation with minimum delay. This principle will be subject only to security and operational requirements.

d. A JIB will be established in the AO as soon as possible following the deployment of the JTF.

(1) The participating military services will staff the JIB with PA representatives.

(2) The Public Affairs Chief (PAC) will coordinate PA efforts with federal, state, and municipal authorities whenever possible. This will be accomplished preferably by manning the JIB with PA representatives from participating federal, state, and local civilian agencies, or, by alternatively establishing points of contact with these civil authorities.

e. News media representatives will be allowed freedom of movement within the AO provided they do not interfere with the execution of the military mission.

f. The JTF will not provide support to the media (such as transportation or telephone services) when such support is available from commercial resources. When the military is the only source available, support can be provided on a reimbursable basis. In such cases, the service involved will determine the cost of the support for reimbursement purposes (See Annex P for reimbursement procedures.)

5. EXECUTION.

a. General.

(1) The Secretary of the Army, as Executive Agent, is responsible for all military public affairs matters relating to civil disturbances and will exercise those responsibilities through the operating Agent/Supporting CINC. The Operating Agent/Supported CINC will designate the on-site PAC. The PAC is responsible for all DOD public affairs activities in the disturbance area. In the event of multiple civil disturbance locations, there may also be Joint Task Force Public Affairs Officers (JTF/PAOs). The JTF/PAO will coordinate all public affairs activities through the PAC.

(2) The Office of the Chief of Public Affairs (OCPA), Department of the Army, will designate a Public Affairs Crisis Coordinator (PACC). The PACC serves as the PA representative

for the Executive Agent. The PACC is responsible for maintaining a communications/information link between the DOMS and the Assistant Secretary of Defense (Public Affairs).

b. Guidelines for Release of Information.

(1) Prior to issuance of the Executive Order directing commitment of federal forces in a civil disturbance situation:

(a) Military departments and other DOD components will make no voluntary public statement concerning preparations for the operation.

(b) Queries concerning possible employment of U.S. military forces will be referred to office of the Assistant Secretary of Defense, Public Affairs (Directorate of Defense Information).

(2) The NCA will make the initial news release announcing the President's decision to commit federal forces in civil disturbances.

(3) During the JTF deployment, queries may be answered within the context of national releases. Queries which cannot be answered within these guidelines will be referred, through public affairs channels, to the PACC for resolution.

(4) Public releases pertaining to operations within the AO will be cleared by the PAC IAW DOD Directive 3025.12.

(5) News releases and response to query will not normally contain information identifying individuals and organizations not affiliated with DOD unless coordinated and cleared by that organization. Speculation on the identity of individuals and organizations will not be made.

(6) The news release announcing the withdrawal or redeployment of units to their home stations will initially be made by civil authorities and not by military representatives.

(7) During the redeployment of forces, public affairs policies of the Operating Agent/Supported CINC will apply.

(8) Information furnished to the media will avoid conjecture concerning future operations.

(9) Military casualty lists will not be released until the next-of-kin have been notified. Information on casualties will only be released IAW existing service directives.

(10) If a serious incident occurs that is not directly the result of civil disturbance operations and which may cause adverse publicity, the PA response will be IAW existing service directives. Generally, the on-scene PA representative will make the initial announcement of the incident. Following this announcement, the affected service(s) will assume PA responsibility.

(11) All inquiries relating to a federal, state, or municipal function received by the responsible PA officer will be referred to the appropriate federal, state, or municipal public affairs office for response.

(12) Command information programs will also be conducted IAW principles in this paragraph, as applicable.

c. Responsibilities.

(1) Assistant Secretary of Defense (Public Affairs).

(a) Provide assistance to the DOD Executive Agent, or other commands as appropriate, on all aspects of public release of information relating to civil disturbance operations.

(b) Keep other appropriate federal agencies, departments, and branches of government informed of significant developments within the area of operations.

(2) Operating Agent/Supported CINC.

(a) Establish the JIB, collocating with the DOJ PA operation whenever possible.

(b) Designate senior PA officer as the PAC; designate JTF/PAO as necessary.

(c) Resolve any differences between the JTF commander and the PAC on release of information.

(d) Ensure sufficient equipment, personnel, and facilities are available to conduct a comprehensive public and command information effort in the AO on a 24-hour basis.

(e) Provide command emphasis to troop orientations and daily troop briefings; ensure soldiers (and family members, as appropriate) receive briefings prior to their departure from home stations.

(3) Secretary of the Navy.

(a) Ensure that Naval installation commanders are prepared to provide PA personnel and equipment, as necessary, to support the Operating Agent/Supported CINC.

(b) Ensure that no release about civil disturbance operations is made by Navy or Marine Corps units and installations without prior coordination with the PACC or PAC.

(c) Coordinate preparation of follow-up national news releases identifying Navy or Marine Corps units in the JTF with the PACC.

(4) Secretary of the Air Force.

(a) Ensure that Air Force installation commanders are prepared to provide PA personnel and equipment, as necessary, to support the Operating Agent/Supported CINC.

(b) Ensure that no release about civil disturbance operations is made by Air Force units and installations without prior coordination with the PACC or PAC.

(c) Coordinate preparation of follow-up national news releases identifying Air Force units in the JTF with the PACC.

(d) Ensure applicable provisions of this OPLAN are passed to appropriate Air National Guard units called to federal service for civil disturbance operations.

(5) Chief of Public Affairs, Department of the Army.

(a) Ensure that Army installation commanders are prepared to provide PA personnel and equipment, as necessary, to support the Operating Agent/Supported CINC.

(b) Ensure applicable provisions of this OPLAN are passed to appropriate Army National Guard units called to federal service for civil disturbance operations.

(c) Provide PACC to DOMS staff in the AOC.

(d) Establish procedures for the release of information, through military command information channels, regarding civil disturbance activities which are of DOD-wide interest.

(6) Commander, USAISC.

(a) Provide news wire service in the JIB.

(b) Provide Class A telephones in the JIB, as required.

(c) Provide the PAC with information on the location and availability of public telephones for media representatives; provide capability in the JIB if none exists.

(7) JTF Commander.

(a) Ensure PA personnel and equipment accompany the JTF to the AO to establish an immediate PA capability IAW this annex.

(b) Ensure that troop orientations are conducted during all phases of the operation; these orientations should include the information provided at Appendix 8 (Special Instructions) to Annex C.

(c) Ensure that JTF PA personnel issue unclassified fact sheets/news briefs as necessary to the media, in concert with DOJ.

(d) ICW the PACC and PAC and IAW clearance policies in this annex:

1 Establish a JIB in the AO.

2 Conduct media briefings.

3 Make news releases and respond to media queries.

4 Coordinate media coverage of units.

5 Establish and maintain liaison with other public affairs agencies, both military and civilian, to coordinate activities, releases, etc.

(e) Provide unit press escorts, as required.

(f) Provide photographic coverage of the operation for public information purposes.

6. ADMINISTRATION.

a. The JIB should be collocated with the DOJ PA operation whenever possible; otherwise, collocate the JIB within or adjacent to the JTF command post. The facility will be arranged to accommodate organic JTF PA personnel, augmentation personnel, and the PAC (if on site). Equipment and space requirements for these facilities are at Appendix 1.

b. Facilities for a Press Briefing Room and Press Room will be provided when available. Space and equipment requirements for these facilities are listed at Appendix 1.

c. Guidelines for manning the JIB are at Appendix 2.

Appendixes: 1 - Equipment and Space Requirements
2 - Staffing Guide

APPENDIX 1 (EQUIPMENT AND SPACE REQUIREMENTS) TO ANNEX F (PUBLIC AFFAIRS) TO DEPARTMENT OF DEFENSE CIVIL DISTURBANCE PLAN

Support requirements for the JIB are as listed below:

1. JIB Administration/Headquarters. Sufficient office equipment and space for the JTF JIB to include:

- a. One copier (local rental or portable military).
- b. Four portable television sets and video cassette recorders (one each for ABC, NBC, CBS, and CNN).
- c. Two portable AM/FM radios with audio cassette recorders.
- d. Wire service terminals (AP and UPI city wire services, or state wire service where city wire service is unavailable).
- e. Three word processors or stand-alone personal computers.
- f. One facsimile machine.
- g. Electric power source.

2. Press Briefing Room. When facilities are available, a room with sufficient space to accommodate 30 to 70 news media representatives (NMR) and the following equipment:

- a. A raised platform with M67 mixer, a table with three executive chairs, and three microphones with table stands.
- b. Large map board and stand with map depicting AO.
- c. Sufficient table space for radio/TV technicians.
- d. Sufficient folding chairs for NMRs.
- e. Electric power sources, as required.

3. Press Room. When facilities are available, provide a Press Room with the following equipment:

- a. Sufficient folding chairs and tables for NMRs.
- b. Sufficient public telephones for NMRs.

APPENDIX 2 (STAFFING GUIDE) TO ANNEX F (PUBLIC AFFAIRS) TO
DEPARTMENT OF DEFENSE CIVIL DISTURBANCE PLAN

JOINT TASK FORCE JOINT INFORMATION BUREAU STAFFING GUIDE

<u>POSITION</u>	<u>RANK*</u>	<u>JIB DUTY</u>
<u>TITLE</u>		
Public Affairs Officer**	LTC-	Public Affairs Chief (PAC)
	COL	
Public Affairs Officer*** (JTF/PAO)	MAJ- LTC	Joint Task Force Public Affairs Officer
Public Affairs officer****	CPT- MAJ	Staff Officer (Media Relations)
Public Affairs Officer**** Relations)	1LT- CPT	Staff Officer (Command Infor- mation/Community
Information Specialist****	SSG- SGM	Media Relations Noncommis- sioned officer
Information Specialist****	SPC- SSG	Media Relations Specialist
Information Specialist****	SPC- SSG	Media Relations Specialist
Administrative Special- ist****	PVT- SPC	Clerk Typist

Key:

* Or equivalent Navy rank (for officer and enlisted personnel) or equivalent Air Force/Marine rank for enlisted personnel).

** This position is expected to be manned by the Chief of Public Affairs (CPA) or Deputy Chief of Public Affairs (DCPA) from the Operating Agent's headquarters. May be collocated with the JIB or with the Operating Agent/Supported CINC.

*** This position is expected to be manned by the CPA or DCPA from the JTF headquarters.

**** National Guard or Reserve personnel with PA experience may serve in this duty position when on active federal service status.

ANNEX G (COMMUNICATIONS/INFORMATION MANAGEMENT) TO DEPARTMENT OF
DEFENSE CIVIL DISTURBANCE PLAN

1. SITUATION. Basic plan.

2. MISSION. To provide communications/information management support for civil disturbance operations.

3. EXECUTION.

a. General Concept.

(1) Initially, the JTF will rely on organic communications/information management resources. Once the JTF concept of operations is developed for the AO, the JTF signal element will determine the requirements to support the JTF mission, what organic support is required, and what augmentation must be requested.

(2) The request for additional communications/information management support will be forwarded to the Operating Agent/Supported CINC. If he is unable to resource the requirement, the request will be forwarded to the Executive Agent (ATTN: DOMS) for coordination by the office of the Director of Information Systems for Command, Control, Communications, and Computers (ODISC4).

(3) The Director of Information Management (DOIM) nearest the AO should be identified by the Operating Agent/Supported CINC. The DOIM will be responsible for coordinating any local, leased communications services and circuits, and audiovisual and teleconferencing support. All these services will be financed IAW Annex P of this OPLAN.

(4) The ODISC4 will have communications/information management teams available from USAISC to support civil disturbance operations in up to four separate AOs simultaneously. These teams will have the capability to provide telephone and message services (both voice and data). The task organization of the team will be determined consistent with communications/information management mission requirements.

(5) Requests for priority provisioning of commercial National Security and Emergency Preparedness (NSIEP) telecommunications services will be processed IAW DCA Circular 310-130-1 through the Defense Commercial Communications Office to the National Communication System's National Coordination Center for assignment of an NS/EP authorization code.

b. Responsibilities.

(1) JTF Commander.

(a) Provides organic communications and information management personnel and equipment to support civil disturbance operations in his assigned AO.

(b) Determines and requests additional communications/information management support required to support his mission.

(2) Operating Agent/Supported CINC.

(a) Resources requests for augmenting communications/ information management support; forwards requests that cannot be resourced from own assets to Executive Agent (ATTN: DOMS) for evaluation and for coordination by ODISC4.

(b) Identifies DOIM nearest AO to support JTF.

(3) DOMS.

(a) Receives all unresourced communications/information management support requests from Operating Agent/Supported CINC on behalf of Executive Agent; validates requests ICW ODISC4.

(b) Tasks ODISC4 to provide communications/information management support for validated requests.

(c) Exercises release authority for employment of GARDEN PLOT communications assets (see Appendix 1 to this annex).

(4) ODISC4.

(a) Establishes immediate contact with the on-site signal officer/coordinator of the JTF.

(b) Provides technical assistance to DOMS to assist in validating communications/information management support requests.

(c) Executes DOMS' taskings for validated communications/information support requests.

(d) Recommends to DOMS what GARDEN PLOT prepackaged communications assets should be used to support civil disturbance operations; coordinates with AMC to issue movement instructions for the equipment.

(e) On request, assists the Operating Agent/Supported CINC in identifying the nearest DOIM to support civil disturbance operations in the AO.

(f) Determines if leased communications services must be provided and tasks USAISC to provide support, as required.

(5) USAISC.

(a) Ensures the supporting DOIM is identified and appropriately tasked to support the civil disturbance operation with leased communications services, if required.

(b) Maintains the capability to support up to four independent, simultaneous civil disturbance operations in different AOs with teams capable of providing voice, switch, and data service.

(c) Submit airlift and surface transportation requirements to the Executive Agent for deployment to the AO.

(d) Pass operational control of communications teams to JTF upon their deployment to the AO.

(e) Be prepared to provide additional communications/ information management support as requested by ODISC4.

4. SERVICE SUPPORT. See Basic plan.

5. COMMAND AND SIGNAL.

a. Command. See Basic plan.

b. Signal. Current JTF signal operating instructions.

Appendixes: 1 - Issue of GARDEN PLOT Communications/Information Management Assets

2 - List of GARDEN PLOT Communications/Information Management Assets

APPENDIX 1 (ISSUE OF GARDEN PLOT COMMUNICATIONS/INFORMATION MANAGEMENT ASSETS) TO ANNEX G (COMMUNICATIONS/INFORMATION MANAGEMENT) TO DEPARTMENT OF DEFENSE CIVIL DISTURBANCE PLAN

1. GENERAL. To meet anticipated communications support requirements of the JTF, prepackaged communications equipment is available for temporary loan (See Appendix 2 to Annex G for the composition of these packages). This equipment may also be loaned to National Guard units while on state active duty for civil disturbance operations.

2. AUTHORITY.

a. DOMS is the approving authority, on behalf of the Executive Agent, for all requests for GARDEN PLOT communications/information management equipment.

b. Commander, AMC, will issue movement instructions for prepackaged communications/information management equipment on order of the DOMS.

3. PROCEDURES.

a. A request for this equipment will be identified as a ROAD JUNCTION request and be submitted IAW the format prescribed at Appendix 1 (Request and Report Format) to Annex K. The request may initially be submitted by telephone; all requests must be confirmed via message or telefax.

b. Request procedures.

(1) JTF. The JTF commander will submit his equipment support request to the Operating Agent/Supported CINC prior to the JTF's deployment, if possible. The Operating Agent/Supported CINC, in turn, will make appropriate recommendations and forward the request to the Executive Agent (ATTN: DOMS). The JTF commander will ensure that the request addresses the requirements of units from all services assigned to the JTF.

(2) National Guard.

(a) Requests for prepackaged communications equipment will be made through the TAG to the National Guard Bureau (NGB), Washington, DC. NGB will make appropriate recommendations and forward the request to the Secretary of the Army (ATTN: DAMO-ODS).

(b) National Guard forces called to active federal service will request prepackaged communications equipment through their JTF commander.

c. Upon DOMS approval, AMC will move the equipment to departure airfields for airlift transportation or over land to the requestor.

APPENDIX 2 (LIST OF GARDEN PLOT COMMUNICATIONS/INFORMATION
MANAGEMENT ASSETS) TO ANNEX G (COMMUNICATION/INFORMATION
MANAGEMENT) TO DEPARTMENT OF DEFENSE CIVIL DISTURBANCE PLAN

The following communications/information management equipment may be released to the JTF on approval of the DOMS to support civil disturbance operations. (See Appendix 4 to Annex D for other GARDEN PLOT materiel available for issue.)

EQUIPMENT IN DEPOTS

LOCATION OF ITEMS:

SACRAMENTO	TOBYHANNA	LEXINGTON- BLUEGRASS
ITEM	ARMY DEPOT	ARMY DEPOT
Radio (FM) Packet (13 total) containing-- 1 ea 110W Base Station w/Auxiliary Equipment 20 ea 10W Portable Sets	3 (NOTE 1)	5 (NOTE 2)
Repeater Packet (2 total) containing-- 1 ea 80W Repeater Station	1 (NOTE 1)	1 (NOTE 1)
Telephone Patch Packet (6 total) containing-- 1 ea Multi-Net Patching Console	2 (NOTE 2)	2 (NOTE 3)
Public Address Set (50 total) AN/PIQ-5A	15	20

EQUIPMENT IN UNITS

RESPONSIBLE U.S. ARMY MAJOR

COMMAND

MDW	FORSCOM	USAISC
ITEM	(NOTE 4)	
(NOTE 6)		
Radio (FM) Packet (10 total) containing-- 1 ea 110W Base Station w/Auxiliary Equipment 20 ea 10W Portable Sets	1 (NOTE 4)	7 (NOTE 5)

Radio (HF/SSB) Packet (8 total) containing-- 2 ea Radio Sets, AN/FRC-93 2 ea Linear Power Amplifiers, 30L1 2 ea Antenna Kits		8	
Repeater Packet (2 total) containing-- 1 ea 80W Repeater Station		2	
Tactical Frequency Radio Packet (1 total) containing-- 1 ea 40W Base Station for Air-Ground Radio/Wire Integration (RWI)		1	
Telephone Patch Packet (2 total) containing-- 1 ea Multi-Net Patching Console		2	
Telephone Portable Packet (15 total) containing-- 1 ea Portable Executive Telephone (PET)	9	6	
Teletype Packet (4 total) containing-- 3 ea Ciphony Devices, KW-7 2 ea TTY Machines (Leased)		4	
Tape Recorders (32 total) containing-- 1 ea Wollensak Cassette Tape Recorder	7	23	2
Switchboards Packet (1 total)		2	

NOTES:

1. General Electric Repeater Packet
2. Ambassador Phone Patch
3. Motorola Phone Patch

4. The 82nd Airborne Division maintains one packet for support of GARDEN PLOT.

5. 7th Signal Command, USAISC, maintains one packet for operations in support of JTF MDW and two packets for use anywhere when frequency conflicts occur. The fourth packet is set on standard GARDEN PLOT frequencies. The 11th Signal Group (USAISC) maintains three packets on standard GARDEN PLOT frequencies).

6. Both MDW packets are preset on MDW dedicated frequencies.

ANNEX H (COMMAND RELATIONSHIPS) TO DEPARTMENT OF DEFENSE CIVIL
DISTURBANCE PLAN

1. REFERENCES.

- a. DOD Directive 3025.12.
 - b. Joint Pub 1-02.
2. The Secretary of the Army, as the DOD Executive Agent, will exercise, through his designated operating Agent/Supported CINC, the direction of those forces committed to civil disturbance operations.
3. Deploying forces will be under the operational control of their respective CINCs until arrival at the AO. USCINCTrans will exercise operational control of DOD-provided military airlift resources used to fulfill civil disturbance airlift requirements.
4. In the AO, the JTF commander will exercise operational control over all federal military forces committed to the civil disturbance operation.
5. Redeploying forces will be under the operational control of the Operating Agent/Supported CINC until arrival at home stations.
6. As the senior military advisor to the Executive Agent, the Chief of Staff, Army, will be kept informed on the status of civil disturbance operations by the DOMS. The Chief of Staff, Air Force, Chief of Naval Operations, and Commandant of the Marine Corps will also be kept informed consistent with the impact of civil disturbance operations on their respective service's resources.

- Appendixes:
- 1 - Command Relationships During Deployment
 - 2 - Command Relationships During Employment
 - 3 - Command Relationships During Redeployment

APPENDIX 1 (COMMAND RELATIONSHIPS DURING EMPLOYMENT) TO ANNEX H
(COMMAND RELATIONSHIPS) TO DEPARTMENT OF DEFENSE CIVIL DISTURBANCE
PLAN

SECRETARY
OF
DEFENSE

JOINT CHIEFS OF STAFF	~~~~~	DOD EXECUTIVE AGENT →→→→→→→→ (SECARMY)	MILITARY DEPARTMENTS
			→→
SUPPORTING			
CINCS			
			→→
DOD			
AGENCIES			

--

SUPPORTING CINCS PROVIDING FORCES		OPERATING AGENT/ SUPPORTED CINC	
USA	*	USA	*
FORCES *****	*	FORCES *****	*
USN	*	USN	*
FORCES *****	*	FORCES *	*
USMC	*	USMC	*
FORCES *****	*	FORCES *	*
USAF	*	USAF	*
FORCES *****	*	FORCES *	*

KEY:

~~~~~ COORDINATION

-----

## TASKING AUTHORITY

→→→→→→→→

\* \* \* \* \*

H-1-1

SECRETARY  
OF  
DEFENSE

→→

→→

JTF  
COMMANDER

\*  
\*

KEY:

~~~~~ COORDINATION  
→→→→→ TASKING AUTHORITY
----- DIRECTION
***** OPERATIONAL CONTROL

SECRETARY
OF
DEFENSE

DOD →→

AGENCIES

| | | | |
|--------|-----|---|---|
| | | * | |
| USA | | | * |
| FORCES | *** | | |
| | | | * |
| USN | | | * |
| FORCES | *** | | |
| | | | * |
| USMC | | | * |
| FORCES | *** | | |
| | | | * |
| USAF | | | * |
| FORCES | * | | |
| | | | * |
| USCG | | | * |
| FORCES | * | | |

H-3-1

ANNEX I (PLANNING) TO DEPARTMENT OF DEFENSE CIVIL DISTURBANCE PLAN

1. GENERAL.

a. The Department of Defense Civil Disturbance Plan provides guidance to all DOD components in all matters pertaining to the planning for and the deployment, employment, and redeployment of military resources for domestic civil disturbance operations.

b. Planning for civil disturbance operations is based on the assumption that commitment of federal military resources may be required at any time, with or without advance warning, to assist local and state authorities or to enforce federal law and may involve massive or limited employment of forces.

2. GENERAL PLANNING REQUIREMENTS.

a. CNO, CSAF, CMC, and Commandant, USCG, will prepare service plans for civil disturbance operations. Plans will be based on GARDEN PLOT and be submitted to DA (DAMO-ODS) for review for conformity to DOD Executive Agent policies.

b. USCINCLANT/CINCFOR/USCINCPAC.

(1) Prepare plans for civil disturbance operations and submit those plans prior to publication to DA (DAMO-ODS) for review for conformity to DOD Executive Agent policies. Plans will be based on GARDEN PLOT.

(2) Accomplish planning requirements specified in paragraphs 4 and 6, this annex.

(3) Require preparation of support plans by subordinate commands as deemed necessary. (CINCFOR will have MDW execute planning requirements for Washington, D.C., as stated at paragraph 2f below.)

(4) Provide for the accommodation of a Defense Logistics Agency (DLA) Industrial Security Representative at JTF headquarters.

c. DLA/AMC/USCINCTrans/USAISC.

(1) Prepare plans for providing support to federal forces during civil disturbance operations. Plans will be based on and be consistent with GARDEN PLOT and will establish procedures for the support of federal JTFs deployed on civil disturbance missions to any domestic AO.

(2) Coordinate plans with USCINCLANT/CINCFOR/USCINCPAC.

(3) Submit plans to DA (DAMO-ODS) for approval prior to publication.

d. DIS.

(1) Maintain a listing by state of those cleared facilities under Defense Industrial Security Program (DISP) which DLA has identified as most likely to be subject to disruptive action during civil disturbances.

(2) Provide additional planning information to operating Agents/Supported CINCs pertaining to cleared facilities in AOs.

e. TRADOC

(1) Monitor the development of plans for civil disturbance operations and/or support to TRADOC installations.

(2) Coordinate planning requirements for support of civil disturbance operations placed on TRADOC installations.

f. MDW.

(1) Prepare plans from civil disturbance operations in Washington, D.C., and submit those plans prior to publication to CINCFOR for review for conformity to CINCFOR and DOD Executive Agent policies. Plans will be based on GARDEN PLOT.

(2) Accomplish planning requirements specified in paragraph 3, 4, and 6, this annex.

(3) Provide for the accommodation of a DLA Industrial Security Representative at JTF headquarters.

g. USAISC.

(1) ICW Operating Agents/Supported CINCs, prepare a civil disturbance plan and submit prior to publication to DA (DAMO-ODS) for approval. Plan will be based on GARDEN PLOT.

(2) Accomplish planning requirements specified in paragraphs 4 and 6, this annex.

3. PLANNING REQUIREMENTS FOR WASHINGTON, DC.

a. Prepare and maintain an Information Planning Packet (Appendix 1, this annex).

b. Disseminate Information Planning Packet IAW Appendix 1, this annex.

c. Ensure that Information Planning Packet is reviewed and updated annually and that revisions are disseminated as appropriate. Schedules for annual review should ensure that the Information Planning Packet with current information is distributed to potential users by 1 April of each year.

d. Prepare a detailed plan for the commitment of forces in Washington, D.C. The plan will include provisions for augmentation of JTF MDW by up to two brigades without an additional JTF headquarters. Appendix 1, this annex, pro-vides guidance for the development of detailed operations plans.

e. Coordinate plan with Commander, D.C. National Guard, and CINCFOR.

f. Submit plan for approval prior to publication to DA, ATTN: DAMO-ODS.

g. Conduct liaison with municipal authorities in Washington, DC, and with other civil authorities as directed by DA (DAMO-ODS).

4. DIRECTED PLANNING REQUIREMENTS.

a. DOMS directs planning actions when DOJ anticipates the commitment of federal military forces in disorder situations. DOMS may designate an area for planning, and will provide planning guidance to DOD components concerned.

b. On order of the Executive Agent, Operating Agent/Supported CINC will:

(1) Prepare an Information Planning Packet on the AO (Append-Lx 1, this annex).

(2) Conduct liaison with civil authorities in the designated area.

(3) Designate a JTF commander and JTF units.

(4) Direct preparation of detailed operations and support plans, approve the plans, and forward to DOMS for review.

c. DOD Components will assist Operating Agent/Supported CINC directly and through their subordinate commands, in the preparation of the detailed operations and support plans.

d. Advance planning for special situations will be conducted on a strict need-to-know basis following guidelines contained in DA planning guidance.

5. STATE PLANS.

a. Commanders of federal military forces, when planning for possible employment in a particular area, should coordinate their plans, to the extent feasible, with the plans of that state/territory.

b. In the event that federal military forces are deployed to an area for which Information Planning Packets required by this plan are not available, the DOMS, Operating Agent/Supported CINC, or JTF commander may request information on the AO from the appropriate Adjutant General.

6. MAPS. Commands responsible for preparing Information Planning Packets will:

a. Include a current map when directed to prepare an Information Planning Packet for an AO. The maps will be overprinted and marked as indicated at Tab B to Appendix 1 to this annex.

b. Obtain a minimum of 200 maps of the AO. overprint and mark as indicated at Tab B to Appendix 1 this annex. Issue to JTF units as required.

Appendix: 1 - Information Planning Packet Format

APPENDIX 1 (INFORMATION PLANNING PACKET FORMAT) TO ANNEX I
(PLANNING) TO DEPARTMENT OF DEFENSE CIVIL DISTURBANCE PLAN

This appendix provides an outline of the information which normally will be included in an Information Planning Packet. The basic paragraphs and annexes of the Information Planning Packet are formatted to facilitate development of an operations plan/operations order in response to an actual or threatening civil disturbance situation. Additional information may be included as deemed necessary and appropriate. See Annex B regarding information concerning individuals and organizations not affiliated with DOD.

TASK ORGANIZATION: Annex A (published on designation of JTF units).

1. SITUATION.

a. AO (City and State/Territory).

(1) Geography.

(a) Location.

(b) Size (square miles of city and square miles of metropolitan area).

(c) Prominent land or waterway features.

(d) Weather factors limiting operations or movement.

(2) Population.

(a) City total.

(b) Metropolitan area total.

(c) Major racial or ethnic groups as percentage of total city population.

(3) Government.

(a) Type of city government.

(b) Summary of mutual aid agreements with adjacent governments for mutual support during civil disturbances.

(4) Transportation.

(a) Major highways.

(b) Rail lines (intercity and local).

(c) Air terminals (civilian and military, with description of commercial service; include limitations, if any, on military airlift).

(5) Key personnel.

b. Nature of disturbance (to be added based on DOJ reports).

c. Civil disturbance control forces.

(1) City police.

(a) Total strength by operational and administrative personnel.

(b) Designation and strength of civil disturbance special unit.

(c) Designation and strength of special teams.

1 Bomb disposal.

2 Anti-sniper.

3 Helicopter.

4 Other.

(d) Major items of special civil disturbance equipment available by type and number.

(e) Chemical munitions and dispersal means available by type and number.

(f) Summary of civil disturbance training.

(2) County police.

(a) Strength of available operational personnel.

(b) Summary of special units, equipment, and training.

(3) Forces available through mutual aid agreement, listed by jurisdiction (include strength of available personnel, and comment on equipment and munitions).

(4) State police.

(a) Total strength, by operational and administrative personnel.

(b) Strength available to support city authorities in event of major disorder, under current plans.

(c) Summary of special units, equipment, and training.

(5) National Guard.

(a) Total state strength, by Army and Air National Guard.

(b) Strength available to support city authorities in event of major disorder, under current plans.

(c) State plan (or applicable portions) for employment of National Guard units in the area under state control (Annex C, National Guard).

2. MISSION. As stated in order from Executive Agent to Operating Agent/Supported CINC.

3. EXECUTION. (See map enclosed as Annex D to this Appendix).

a. Concept of operations. (The JTF commander's concept of operations can be formed only when the situation, units under his operational control and the mission are known.) The following data relate to area and protective operations which may be conducted by JTF units:

(1) Area of Operations.

(a) Police precinct or district boundaries, and police precinct or district headquarters locations, Annex C.

(b) Assembly areas. Lists of areas in which units may be assembled in preparation for civil disturbance operations. These areas may be different from or the same as bivouac areas listed in paragraph 4e. List by name, location, troop capacity, and vehicle capacity.

(c) Helicopter landing areas: List by location and size of clear area in feet (e.g. "300' X 400' landing area").

(2) Protective operations.

(a) Critical DISP facilities (provided to JTF commander in AO by Security Office of DIS).

(b) Key Facilities List (KFL) (facilities in the metropolitan area, listed by name and location).

(c) Key government buildings (listed by categories of city, county, state/territory, and federal [include name, location, position and phone number of appropriate official responsible for security]).

(d) Key traffic points, listed by name and location and with essential data.

1 Major intersections.

2 Bridges.

3 Tunnels.

(e) Key communications facilities, listed by name and location with essential data.

1 Radio stations.

2 Radio transmission facilities.

3 Television stations.

4 Television transmission facilities.

5 Telephone central exchanges.

6 Required National Security and Emergency Preparedness (NS/EP) telecommunications services.

(f) Key public services listed by name and location with essential data.

1 Water.

2 Power.

3 Gas.

4. SERVICE SUPPORT.

a. List by type and number the military vehicles and other items of equipment listed at Appendix 4 to Annex D which are

available from military installations in or near (within 100 miles of) the AO and which could be made available to a JTF.

b. Map supply (Location of prestocked area maps and position title, location, and telephone number of point of contact for map supply).

c. BSI (Name and location of BSI designated by operating Agent/Supported CINC).

(1) BSI point of contact (include position title and telephone number).

(2) Summary of BSI facilities (include: limitations, if any, location of issue points for each class of supply; title and telephone number of point of contact for each issue point).

(3) Other information which would facilitate BSI support of a JTF.

d. Military Installations (List installations within 100 miles of city and include: name; service; active or reserve component; location; brief description; and position title and phone number of 24-hour point of contact).

e. Troop bivouac areas. (List by name of facility and include: specific location; whether indoor or outdoor facility; troop capacity; vehicle capacity; status of sanitation facilities; position title and phone number of civilian or military point of contact to negotiate troop use and special problems).

f. Transportation.

(1) Airfields. (List military and civilian airfields by name and include: specific location; road distance and travel time from center of city; and limitations, if any, on USAF C130, C141, and C5 aircraft).

(2) Transportation from airfield to bivouac or assembly area (include name, location, position title, and telephone number of point of contact in the agency responsible for movement of JTF units from the arrival airfield to bivouac assembly areas).

(3) Bus companies.

(a) List by name (Include title and phone number of contracting official).

(b) Bus terminals (List by company and include specific location and phone numbers).

(4) Military transportation resources (List resources available at military installations per paragraphs 4c and 4d, above).

g. Medical.

(1) List hospitals by name (include: specific location; position title and phone number of point of contact; and ambulance service phone numbers).

(a) Military.

(b) Civilian.

(2) Public health or similar department of city government (include position title and phone number of point of contact).

5. COMMAND AND SIGNAL.

a. Command post location (include duty phone numbers and, if appropriate, radio system employed and radio frequency) of:

(1) City authorities.

(a) Mayor or chief city official.

(b) Police headquarters.

(c) Fire department headquarters.

(2) County police.

(3) State police.

(4) State Adjutant General.

(5) Senior DOJ official in the area.

(6) Federal military JTF, when employed.

(7) SCRAG, when employed.

b. Description of city command structure for civil disturbance operations. (Attach Emergency Operations Center directory as Annex E, if available).

c. Description of facilities available for use by JTF headquarters and SCRAG, to include communications support provided by civil authorities.

d. Detailed description of city police radio communication system, to include description, planned employment, and frequencies of radio sets.

e. Location and description of facilities available for use by USAISC Detachment (See Annex G).

f. Headquarters required to update this Information Planning Packet (include position title, location, and phone number of point of contact for civil disturbance planning).

[Annexes below are for inclusion in a completed Information Planning Packet]

Annexes: A - Task Organization (Published on designation of JTF units).

B - Directory (See Tab A, this appendix).

C - National Guard State Plan (or applicable portions) for employment of National Guard units under state control in this area (To be added when obtained from the appropriate TAG).

D - Map (See Tab B, this appendix).

E - EOC Plan or Directory (To be added when obtained from civil authorities).

[Tabs below are part of Appendix 1, Annex I, of GARDEN PLOT]

Tabs: A - Directory Format

B - Map Format

TAB A (DIRECTORY FORMAT) TO APPENDIX 1 (INFORMATION PLANNING
PACKET FORMAT) TO ANNEX I (PLANNING) TO DEPARTMENT OF DEFENSE
CIVIL DISTURBANCE PLAN

ANNEX B: (DIRECTORY) to Information Planning Packet, [location]

MUNICIPAL

| <u>NUMBERS</u> | <u>PHONE
AGENCY/INDIVIDUAL</u> | <u>LOCATION</u> |
|----------------|--|-----------------|
| 1. | Civil Defense Director* | |
| 2. | Emergency Operations Center | |
| 3. | Engineer | |
| 4. | Fire Chief* | |
| 5. | Fire Stations (list) | |
| 6. | Jails (list) | |
| 7. | Mayor* | |
| 8. | Police Chief* | |
| 9. | Police Headquarters | |
| 10. | Police Precincts of District Headquarters (list) | |
| 11. | Public Works Department or Agencies (list) | |
| 12. | Public Health Department | |

COUNTY

| <u>NUMBERS</u> | <u>PHONE
AGENCY/INDIVIDUAL</u> | <u>LOCATION</u> |
|----------------|--|-----------------|
| 1. | Commissioner for Police
(or equivalent official)* | |
| 2. | Jails (list) | |
| 3. | Sheriff* | |

* Designate by name.

STATE/TERRITORY

| <u>NUMBERS</u> | <u>PHONE</u>
<u>AGENCY/INDIVIDUAL</u> | <u>LOCATION</u> |
|----------------|--|-----------------|
|----------------|--|-----------------|

1. State/Territory Government Level

- a. Adjutant General*
- b. Director of Public Safety
(or equivalent)*
- c. Governor*

2. Local Level

- a. Army or Air Force National
Guard Senior Commander*
- b. Liquor Control Board
(or equivalent)
- c. Police Commander(s)*
- d. Police Headquarters

FEDERAL
(Local or Nearest Department or Agency office)

| <u>NUMBERS</u> | <u>PHONE</u>
<u>AGENCY/INDIVIDUAL</u> | <u>LOCATION</u> |
|----------------|--|-----------------|
|----------------|--|-----------------|

- 1. Defense Contract Administration
Services Region (DCASR), Security
Office
 - 2. Department of Health and Human
Services
 - 3. Department of Transportation
 - 4. Federal Aviation Administration
 - 5. Federal Bureau of Investigation(FBI)
 - 6. FBI, Chief of Field Office*
 - 7. Federal Communications Commission
- * Designate by name

8. U. S. Attorney*
9. U. S. Marshal*
10. Federal Emergency Management Agency (FEMA)
11. National Communications System (NCS) Regional Manager (RMNCS).

MILITARY

| <u>NUMBERS</u> | <u>PHONE
AGENCY/INDIVIDUAL</u> | <u>LOCATION</u> |
|------------------------------------|------------------------------------|-----------------|
| 1. Army | | |
| a. Active | | |
| b. National Guard | | |
| c. Reserve | | |
| 2. Navy | | |
| a. Active | | |
| b. Reserve | | |
| 3. Air Force | | |
| a. Active | | |
| b. National Guard | | |
| c. Reserve | | |
| 4. Marine Corps | | |
| a. Active | | |
| b. Reserve | | |
| 5. Coast Guard | | |
| 6. Base Support Installation (BSI) | | |

* Designate by name

PRIVATE

| <u>NUMBERS</u> | <u>PHONE</u>
<u>AGENCY/INDIVIDUAL</u> | <u>LOCATION</u> |
|---------------------|--|-----------------|
| 1. | Civilian Airfields | |
| 2. | Bus Companies | |
| 3. | Bus Terminals | |
| 4. | Hospitals | |
| 5. | Ambulance Service Agencies | |
| * Designate by name | | |

TAB B (MAP FORMAT) TO APPENDIX 1 (INFORMATION PLANNING PACKET
FORMAT) TO ANNEX I (PLANNING) TO DEPARTMENT OF DEFENSE CIVIL
DISTURBANCE PLAN

ANNEX D: (MAP) to Information Planning Packet, [location]

1. Annex D is a map of the area of sufficient size to permit marking and overprinting of the following data:

a. Location of Active and Reserve Component military installations, facilities, depots, and armories.

b. Police headquarters and police precinct or district headquarters.

c. Police precinct or district boundaries.

d. County or similar major political boundaries.

e. Local names of city areas or districts.

f. Major road routes into and within the city.

g. Bridges, tunnels and other features which could pose an obstacle to road movement (key traffic points).

h. Airfields.

i. Suitable bivouac areas.

j. Suitable assembly areas.

k. major government buildings.

l. Hospitals.

m. Fire stations.

n. city government civil disturbance command center.

o. Helicopter landing areas.

p. Grid and accompanying street index.

2. Map Symbols.

a. Use map symbols IAW FM 21-31, Topographic Symbols.

b. Special Map Symbols are as follows:

Military Installations

Active Military

Army DA

Navy DN

Air Force DAF

Marine Corps USMC

Coast Guard USCG

Police headquarters P

Police precinct headquarters PP

Police precinct boundaries ==

Major political boundaries == ==

Main routes ==

Key traffic points == ° =

Bivouac areas B

with indoor indicator BI

with outdoor indicator BO

with square footage indicator
(in thousands) BO-32

Assembly areas A

Major government buildings GB

Hospitals H

Fire stations F

City government command center *

Helicopter landing areas #

ANNEX J (REPORTS) TO DEPARTMENT OF DEFENSE CIVIL DISTURBANCE PLAN

1. PURPOSE. This annex prescribes reports required for civil disturbance planning and operations. These reports are sub-mitted by the Operating Agent/Supported CINC to the Executive Agent. Reports required of CINCs through joint channels under JCS Pub 1-03, Joint Reporting Structure (JRS), are in addition to required reports in this annex.

2. REPORTS REQUIRED.

a. Civil Disturbance Conditions (CIDCON) Notification and Attainment Reports - Appendix 1 to Annex A.

b. Deployment Reporting Procedure - Tab A to Appendix 5 to Annex D.

c. Joint Task Force Movement Summary Appendix 1, this annex.

d. Spot Intelligence Report (SPOTREP) Appendix 2, this annex (for when intelligence assets/units are part of JTF).

e. Daily Intelligence Summary (DINSUM) - Appendix 3, this annex (for when intelligence assets/units are part of JTF).

f. Situation Report (SITREP) - Appendix 4, this annex.

g. Personnel Status Report (PERSTAT) Appendix 5, this annex.

h. Logistical Status Report (LOGSTAT) Appendix 6, this annex.

i. After Action Report - Appendix 7, this annex.

k. Quick Reaction Force Report - Appendix 8, this annex.

j. Cost Report - Appendix 1 to Annex P.

3. REPORT SUBMISSION. Information of immediate operational significance should be reported by telephone. All telephonic reports will be followed up by hard copy. See alert order for message address, telephone numbers, and telefax numbers. Mailing address is:

Headquarters, Department of the Army
ATTN: DAMO-ODS
Washington, D.C. 20310-0440

4. REPORTS CONTROL. The Report Control Symbol for reports required by this plan, or any future revision, is RCS-DD-A (AR)1112.

Appendixes: 1 - Joint Task Force Movement Summary

2 - Spot Intelligence Report

3 - Daily Intelligence Summary

4 - Situation Report

5 - Personnel Status Report

6 - Logistical Status Report

7 - After Action Report

8 - Quick Reaction Force Report

APPENDIX 1 (JOINT TASK FORCE MOVEMENT SUMMARY) TO ANNEX J
(REPORTS) TO DEPARTMENT OF DEFENSE CIVIL DISTURBANCE PLAN

JOINT TASK FORCE MOVEMENT SUMMARY (RCS-DD-A(AR)1112)

1. PURPOSE. To provide the DOD Executive Agent with information on the movement status of civil disturbance forces deploying to or redeploying from the AO.

2. PREPARING AGENCY. Operating Agent/Supported CINC.

3. REPORT SUBMISSION.

a. Frequency: As movement status information is revised. Telephonic reports of deployments to the objective area are due within one hour following the actual time of arrival of the movement element.

b. Preparation: Submitted to Executive Agent and prepared ICW USCINCTRANS and with supporting CINCs furnishing forces to the Operating Agent/Supported CINC.

c. Subject Line: Joint Task Force [JOINT TASK FORCE DESIGNATION] Movement Summary -- Number [REPORT SEQUENCE NUMBER] (GARDEN PLOT).

4. PREPARATION INSTRUCTIONS. Information will be provided as follows, using the appropriate format:

a. Air Movement Report Format:

| <u>MISSION</u> | <u>TYPE</u> | <u>UNIT(S)</u> | <u>#</u> | <u>(ETD)</u> | <u>(ETA)</u> | | | | |
|----------------|-----------------|---------------------|------------|--------------|--------------|------------|------------|------------|--|
| <u>NUMBER</u> | <u>AIRCRAFT</u> | <u>DESIGNATIONS</u> | <u>PAX</u> | <u>CARGO</u> | <u>ATD</u> | <u>ATA</u> | <u>POD</u> | <u>POA</u> | |

b. Ground Movement Report Format:

| <u>ID</u> | <u>TYPE</u> | <u>UNIT(S)</u> | <u>#</u> | <u>(ETD)</u> | <u>(ETA)</u> | | | | |
|---------------|------------------|---------------------|------------|--------------|--------------|------------|------------|------------|--|
| <u>NUMBER</u> | <u>TRANSPORT</u> | <u>DESIGNATIONS</u> | <u>PAX</u> | <u>CARGO</u> | <u>ATD</u> | <u>ATA</u> | <u>POD</u> | <u>POA</u> | |

c. Sea Movement Report Format:

| <u>ID</u> | <u>TYPE</u> | <u>UNIT(S)</u> | <u>#</u> | <u>(ETD)</u> | <u>(ETA)</u> | | | | |
|---------------|---------------|---------------------|------------|--------------|--------------|------------|------------|------------|--|
| <u>NUMBER</u> | <u>VESSEL</u> | <u>DESIGNATIONS</u> | <u>PAX</u> | <u>CARGO</u> | <u>ATD</u> | <u>ATA</u> | <u>POD</u> | <u>POA</u> | |

Key: ETD=estimated time of departure (in parentheses);
ATD=actual time of departure; ETA=estimated time of arrival (in parentheses); ATA=actual time of arrival; POD=point of departure
POA=point of arrival

APPENDIX 2 (SPOT INTELLIGENCE REPORT) TO ANNEX J (REPORTS) TO
DEPARTMENT OF DEFENSE CIVIL DISTURBANCE PLAN

SPOT INTELLIGENCE REPORT (SPOTREP) (RCS-DD-A(AR)1112)

1. PURPOSE. To provide intelligence information to the Operating Agent/Supported CINC and Executive Agent (and other headquarters, as required) on a timely and recurring basis.

2. PREPARING AGENCY. JTF.

3. REPORT SUBMISSION.

a. Frequency: As required, as soon as possible after receipt of information during imminent and actual civil disturbances. THIS REPORT WILL ONLY BE PREPARED BY ASSIGNED INTELLIGENCE ELEMENTS IF THE RESTRICTIONS IMPOSED BY EXECUTIVE ORDER 12333 (AS IMPLEMENTED BY AR 380-10) HAVE BEEN LIFTED OR MODIFIED).

b. Preparation: Operating Agent/Supported CINC and Executive Agent will be dual To addressees. Classification will be assigned, as appropriate, by the JTF.

c. Subject Line: Joint Task Force [JOINT TASK FORCE DESIGNATION] SPOTREP -- Number [REPORT SEQUENCE NUMBER] (GARDEN PLOT).

4. PREPARATION INSTRUCTIONS. Information will be provided in the following format:

a. Subject: [GENERAL TOPIC COVERED BY INFORMATION]

b. Reference: [CITATION OF PREVIOUS SPOTREPS, AS NECESSARY; OTHERWISE, STATE "NONE"]

c. Source: [HOW/WHERE WAS THE INFORMATION OBTAINED]

d. DTG: [DATE-TIME GROUP WHEN INFORMATION WAS OBTAINED]

e. Summary: [BRIEF SUMMARY OF INFORMATION]

f. Comment: [JTF EVALUATION OF ACCURACY/SIGNIFICANCE OF INFORMATION]

g. Action: [ACTION TAKEN BY JTF, IF ANY; IF NO ACTION TAKEN, STATE "NONE"]

APPENDIX 3 (DAILY INTELLIGENCE SUMMARY) TO ANNEX J (REPORTS) TO
DEPARTMENT OF DEFENSE CIVIL DISTURBANCE PLAN

DAILY INTELLIGENCE SUMMARY (DINSUM) (RCS-DD-A(AR)1112)

1. PURPOSE. To provide an intelligence summary to the Operating Agent/Supported CINC and Executive Agent (and other headquarters, as required) on a daily basis.

2. PREPARING AGENCY. JTF.

3. REPORT SUBMISSION.

a. Frequency: Once daily as of 2000Z and submitted NLT 2400Z (frequency can be increased/decreased as required by Operating Agent/Supported CINC and/or Executive Agent). THIS REPORT WILL ONLY BE PREPARED BY ASSIGNED INTELLIGENCE ELEMENTS IF THE RESTRICTIONS IMPOSED BY EXECUTIVE ORDER 12333 (AS IMPLEMENTED BY AR 380-10) HAVE BEEN LIFTED OR MODIFIED).

b. Preparation: Operating Agent/Supported CINC and Executive Agent will be dual To addressees. Classification will be assigned, as appropriate, by the JTF.

c. Subject Line: Joint Task Force [JTF DESIGNATION] DINSUM
-- Number [REPORT SEQUENCE NUMBER] (GARDEN PLOT).

4. PREPARATION INSTRUCTIONS. Information will be provided in the following format:

a. Reporting Period: From [DATE-TIME GROUP] to [DATE-TIME GROUP].

b. Summary of disturbance activity during reporting period:

(1) Description of civil disturbance activities.

(2) Location of major civil disturbance activities (by street boundaries or geographical area).

(3) Use of unusual weapons or tactics.

(4) Indications of centralized organization.

(5) Other significant information on civil disturbance activity.

c. Equipment used against JTF.

d. Obstacles, barriers, and tactics used against JTF.

- e. Identification of groups and leaders opposing JTF.
- f. Movement of disorderly participants into/out of AO or changes in numbers of participants.
- g. Brief evaluation of the capabilities and vulnerabilities of disorderly groups.
- h. Conclusions (should include an analysis of key factors and trends).

APPENDIX 4 (SITUATION REPORT) TO ANNEX J (REPORTS) TO DEPARTMENT
OF DEFENSE CIVIL DISTURBANCE PLAN

SITUATION REPORT (SITREP) (RCS-DD-A(AR)1112)

1. PURPOSE. To report the status of the JTF to the Operating Agent/Supported CINC and Executive Agent (and other headquarters, as required) on a daily basis.

2. PREPARING AGENCY. JTF.

3. REPORT SUBMISSION.

a. Frequency: Once daily as of 2000Z and submitted NLT 2400Z (frequency can be increased/decreased as required by Operating Agent/Supported CINC and/or Executive Agent).

b. Preparation: Operating Agent/Supported CINC and Executive Agent will be dual TO addressees. Classification will be assigned, as appropriate, by the JTF.

c. Subject Line: Joint Task Force [JTF DESIGNATION] SITREP
-- Number [REPORT SEQUENCE NUMBER] (GARDEN PLOT).

4. PREPARATION INSTRUCTIONS. Information will be provided in the following format:

a. Reporting Period: From [DATE-TIME GROUP] to [DATE-TIME GROUP].

b. Situation: Summary of civil disturbance activity during reporting period.

c. Operations:

(1) Location of headquarters and units (include unit boundaries, as appropriate).

(2) Major tasks of JTF.

(3) Description and results of JTF operations during reporting period.

(4) Identification and specific activities of units comprising JTF.

d. Administration: General statement on the administrative/logistical status of the JTF as it impacts on operations.

e. Civil coordination: Summarize coordination between JTF and civil authorities.

f. Commander's assessment: Key issues to be stressed by the JTF commander.

APPENDIX 5 (PERSONNEL STATUS REPORT) TO ANNEX J (REPORTS) TO
DEPARTMENT OF DEFENSE CIVIL DISTURBANCE PLAN

PERSONNEL STATUS REPORT (PERSTAT) (RCS-DD-A(AR)1112)

1. PURPOSE. To report the personnel status of the JTF to the Operating Agent/Supported CINC and Executive Agent (and other headquarters, as required) on a daily basis.

2. PREPARING AGENCY. JTF.

3. REPORT SUBMISSION.

a. Frequency: Once daily as of 0500Z and submitted NLT 1000Z (frequency can be increased/decreased as required by Operating Agent/Supported CINC and/or Executive Agent).

b. Preparation: Operating Agent/Supported CINC and Executive Agent will be dual TO addressees. Classification will be assigned, as appropriate, by the JTF.

c. Subject Line: Joint Task Force [JTF DESIGNATION]
PERSTAT -- Number [REPORT SEQUENCE NUMBER] (GARDEN PLOT).

4. PREPARATION INSTRUCTIONS. Information will be provided in the following format:

a. Report as of: [AS OF DATE-TIME GROUP].

b. Deployed Joint Task Force Strength: (Note: Report each brigade, separate, battalion, and separate company. Smaller elements or provisional detachments formed to support the joint task force will be included in the strength of the JTF headquarters. Units are grouped by component.)

(1) Active federal forces--

| <u>Unit</u>
(unit designations) | <u>OFF</u> | <u>WO</u> | <u>ENL</u> | <u>TOTAL</u> |
|------------------------------------|------------|-----------|------------|--------------|
| Totals | ===== | ===== | ===== | ===== |

(2) National Guard called to active federal service--

| <u>Unit</u>
(unit designations) | <u>OFF</u> | <u>WO</u> | <u>ENL</u> | <u>TOTAL</u> |
|------------------------------------|------------|-----------|------------|--------------|
| Totals | ===== | ===== | ===== | ===== |

(3) Reserve federal forces--

| <u>Unit</u>
(unit designations) | <u>OFF</u> | <u>WO</u> | <u>ENL</u> | <u>TOTAL</u> |
|------------------------------------|------------|-----------|------------|--------------|
| Totals | ===== | ===== | ===== | ===== |

(4) Strength summary--

| <u>Component</u>
(unit designations) | <u>OFF</u> | <u>WO</u> | <u>ENL</u> | <u>TOTAL</u> |
|---|------------|-----------|------------|--------------|
| Active federal | | | | |
| National Guard | | | | |
| Reserve federal | | | | |
| Totals | ===== | ===== | ===== | ===== |

c. Casualty Status:

(1) Deaths.

| <u>Cumulative</u>
<u>Category</u> | <u>Since Last Report</u> | | | | | | | | | |
|--------------------------------------|--------------------------|----------|----------|----------|----------|----------|----------|----------|----------|----------|
| | <u>A</u> | <u>B</u> | <u>C</u> | <u>D</u> | <u>E</u> | <u>A</u> | <u>B</u> | <u>C</u> | <u>D</u> | <u>E</u> |
| Civilian police | | | | | | | | | | |
| Civilian firemen | | | | | | | | | | |
| Active federal (by service) | | | | | | | | | | |
| National Guard (by service) | | | | | | | | | | |
| Reserve federal (by service) | | | | | | | | | | |

(2) Injuries.

| <u>Cumulative</u>
<u>Category</u> | <u>Since Last Report</u> | | | | | | | | | |
|--------------------------------------|--------------------------|----------|----------|----------|----------|----------|----------|----------|----------|----------|
| | <u>A</u> | <u>B</u> | <u>C</u> | <u>D</u> | <u>E</u> | <u>A</u> | <u>B</u> | <u>C</u> | <u>D</u> | <u>E</u> |
| Civilian police | | | | | | | | | | |
| Civilian firemen | | | | | | | | | | |
| Active federal (by service) | | | | | | | | | | |
| National Guard (by service) | | | | | | | | | | |
| Reserve federal (by service) | | | | | | | | | | |

Key:

A=gun shot; B=accident; C=physical violence; D=fire;
E=other (specify)

(3) Hospitalized

| Cumulative
Category | Since Last Report | | | | | | | | | |
|------------------------------|-------------------|----------|----------|----------|----------|----------|----------|----------|----------|----------|
| | <u>A</u> | <u>B</u> | <u>C</u> | <u>D</u> | <u>E</u> | <u>A</u> | <u>B</u> | <u>C</u> | <u>D</u> | <u>E</u> |
| Civilian police | | | | | | | | | | |
| Civilian firemen | | | | | | | | | | |
| Active federal (by service) | | | | | | | | | | |
| National Guard (by service) | | | | | | | | | | |
| Reserve federal (by service) | | | | | | | | | | |

APPENDIX 6 (LOGISTICAL STATUS REPORT) TO ANNEX J (REPORTS) TO
DEPARTMENT OF DEFENSE CIVIL DISTURBANCE PLAN

LOGISTICAL STATUS REPORT (LOGSTAT) (RCS-DD-A(AR)1112)

1. PURPOSE. To report the logistical status of the JTF to the Operating Agent/Supported CINC and Executive Agent (and other headquarters, as required) on a daily basis.

2. PREPARING AGENCY. JTF; other commands as desired.

3. REPORT SUBMISSION.

a. Frequency: Once daily as of 0500Z and submitted NLT 1000Z (frequency can be increased/decreased as required by Operating Agent/Supported CINC and/or Executive Agent.

b. Preparation: Operating Agent/Supported CINC and Executive Agent will be dual TO addressees. Classification will be assigned, as appropriate, by the JTF. JTF may report "N/A" (not applicable) or "N/C" (no change) for each subpara-graph, as appropriate.

c. Subject Line: Joint Task Force [JTF DESIGNATION]
LOGSTAT Report -- Number [REPORT SEQUENCE NUMBER] (GARDEN PLOT).

4. PREPARATION INSTRUCTIONS. Information will be provided in the following format:

a. Report as of: [AS OF DATE-TIME GROUP].

b. Materiel.

(1) Class V:

| <u>DODAAC</u> | <u>Nomenclature</u> | <u>Quantity</u> | <u>Quantity</u> |
|---------------|---------------------|-----------------|--------------------------------------|
| | | <u>On Hand</u> | <u>Expended</u>
<u>Last 24hrs</u> |

(2) Class VII:

| <u>Nomenclature</u> | <u>Quantity</u> | | <u># Mission</u> | <u># Not Mission</u> |
|---------------------|-----------------|----------------|------------------|----------------------|
| | <u>On Hand</u> | <u>Capable</u> | <u>Capable</u> | <u>Capable</u> |

(List general purpose vehicles (excluding trailers], special purpose vehicles, armored vehicles, military commercial vehicles, commercial vehicles from commercial sources, riot control equip-ment, fixed wing aircraft, and helicopters.)

c. Significant materiel shortfalls: (Report significant shortages of supplies, munitions, or equipment which may affect mission accomplishment; report action taken to correct shortfalls).

d. Significant maintenance shortfalls: (Report significant problems in maintenance which may affect mission accomplishment; report action taken to correct shortfalls).

e. Significant services shortfalls: (Report significant problems in services which may affect mission accomplishment; report action taken to correct shortfalls).

APPENDIX 7 (AFTER ACTION REPORT) TO ANNEX J (REPORTS) TO
DEPARTMENT OF DEFENSE CIVIL DISTURBANCE PLAN

AFTER ACTION REPORT (RCS-DD-A(AR)1112)

1. PURPOSE. To summarize all aspects of the civil disturbance operation to guide the planning and conduct of future civil disturbance operations.

2. PREPARING AGENCY. Operating Agent/Supported CINC, CNO, CSAF, CMC, AMC, USAISC, Intelligence and Security Command (INSCOM), USCINCTrans, other commands, as desired.

3. REPORT SUBMISSION.

a. Frequency: Within 60 days after redeployment of the JTF.

b. Preparation: Submit to Executive Agent. Should be unclassified, if possible.

c. Subject Line: Joint Task Force [JTF DESIGNATION] After Action Report -- (GARDEN PLOT).

4. PREPARATION INSTRUCTIONS. Information will be provided in the following format:

a. Period of civil disturbance operations covered: [INCLUSIVE DATES, FROM ALERT NOTIFICATION THROUGH COMPLETED REDEPLOYMENT].

b. Section I -- Significant Activities. (This section will be historical in nature. It will relate the important events and activities of the operation beginning with the onset of the civil disturbance. It will address the full scope of the operation conducted by the JTF to include planning, preparations, deployment, execution, and redeployment.)

c. Section II -- Problem Areas/Lessons Learned. (This section will be divided into the subsections below. Every problem area/lesson learned will be listed as a separate entry under the appropriate subsection. Each problem area/lesson learned entry will include the observation, discussion, and recommendation/action taken.)

(1) Operations (to include planning and preparation).

(2) Intelligence.

(3) Command relationships.

(4) Task organization.

- (5) Civil cooperation.
- (6) Communications.
- (7) Public affairs.
- (8) Personnel.
- (9) Logistics.
- (10) Training.
- (11) Funding.
- (12) Other.

NOTE: Special emphasis should be given to lessons learned which indicate a need for changes in doctrine, training, or planning. Any successful improvisation, innovation, expedient, or stratagem should be addressed. Problems and solutions in intelligence (when intelligence collection by the military is authorized) and coordination with local authorities are also essential. The tactics and techniques used by disorderly persons should be reported. It must be stressed, however, that these entries should avoid references to specific individuals or organizations to the greatest extent possible.

APPENDIX 8 (QUICK REACTION FORCE REPORT) TO ANNEX J (REPORTS) TO
DEPARTMENT OF DEFENSE CIVIL DISTURBANCE PLAN

1. PURPOSE. To identify and report movement requirements for GARDEN PLOT QRFs (see paragraph 2d(1)(d), Annex A).

2. PREPARING AGENCY. CINCFOR.

3. REPORT SUBMISSION.

a. Frequency: As required. CINCFOR will transmit a QRF OPREP-1 report at least 72 hours prior to changing units assigned to the QRF.

b. Preparation: USCINTRANS will be TO addressee. MAC, MTMC, and Executive Agent will be INFO addressees.

4. PREPARATION INSTRUCTIONS. Report will include the effective period of the designation.

ANNEX K (LOAN/LEASE OF DEPARTMENT OF DEFENSE RESOURCES) TO
DEPARTMENT OF DEFENSE CIVIL DISTURBANCE PLAN

1. REFERENCES.

- a. DOD Directive 3025.12.
- b. AR 405-80, Granting Use of Real Estate.
- c. AR 500-50, Emergency Employment of Army and Other Resources, Civil Disturbances.
- d. AR 700-131, Loan and Lease of Army Materiel.

2. PURPOSE. This annex establishes policies and procedures whereby DOD resources may be provided to civil authorities, the National Guard, and federal agencies for civil disturbance operations.

SECTION I

GENERAL

This section provides general guidance in providing such resources to all three categories of recipients. Sections II, III and IV contain additional specific guidance regarding loans/leases to state governments, local governments, and law enforcement agencies, respectively.

3. LOAN/LEASE POLICY. The maintenance of law and order is primarily the responsibility of local and state authorities. Civil authorities, the National Guard, and federal agencies will be encouraged to provide sufficient resources of their own, so as to minimize reliance on DOD assistance. In civil disturbance situations, a basic goal of the federal government is to minimize the involvement of active military forces. One of the most effective means to minimize involvement is to loan or lease U.S. Army civil disturbance-type equipment to federal, state, and local law enforcement agencies and also to the National Guard.

4. CLASSIFICATION OF RESOURCES.

a. Military resources will be classified in three groups as follows:

(1) Group One: Personnel, arms, ammunition, combat/tactical vehicles, vessels, and aircraft.

(2) Group Two: Riot control agents, concertina wire, and other like military equipment to be employed in control of civil disturbances which is not included in Group One.

(3) Group Three: Firefighting resources (to include operating personnel); equipment of a protective nature (such as masks, helmets, body armor vests); other equipment not included in Group One or Group Two (such as clothing, communications equipment, searchlights); and the use of DOD facilities. EOD service to include explosive detector dog teams is included in this category.

b. Requests for personnel to be used in a direct law enforcement role are not within the purview of this annex and must be made by the legislature or governor of a state IAW 10 United States Code 331, as an exception to the Posse Comitatus Act. DOD personnel employed in connection with loaned equipment (e.g. operators) may not be used in a direct law enforcement role.

c. Repair parts and POL items are categorized according to the group of the equipment for which the parts or POL are intended. Loan and lease of secondary items, such as repair parts, is not normally authorized. When provided to non-DOD federal agencies, however, these items will be furnished under the Economy Act as a sale, based on prior certification of funds or receipt of monies by the supporting national inventory control point. Secondary items will be provided to non-DOD/non-federal agencies and activities on a reimbursable basis.

5. APPROVAL OF REQUESTS.

a. Requests for Group One resources may be granted only with the personal approval of the DOD Executive Agent or his designee.

b. Requests for Group Two resources may be granted only with the personal approval of the DOD Executive Agent or his designees: (1) the Under Secretary of the Army; (2) the Assistant Secretary of the Army for Installations, Logistics, and Environment; (3) the Director and Deputy Director of Military Support; (4) a designated Operating Agent/Supported CINC; (5) a JTF commander employed in an area of operations during a civil disturbance.

c. Requests for Group Three resources may be granted by: secretaries of the military departments; Commander, MDW; CINCs of unified or specified commands; or commanders of military installations or organizations who have been delegated such authority by the appropriate service secretary, CINC, or director of Materiel Management, AMC (for materiel belonging to the wholesale logistic system. The State Adjutant General is the approving authority for Group Three equipment issued to the Army National Guard.

(1) Installation commanders are authorized to provide emergency EOD service including explosive detection dog (EDD) teams IAW AR 75-14/OPNAVINST 8027.1D/AFR 136-8/MCO 8027.1A and AR 75-15.

(2) The Director, DLA is authorized to approve requests of subordinate agencies for firefighting assistance in connection with civil disturbances. Where installation fire departments have mutual aid agreements with nearby civil communities, the installation commander is authorized to provide emergency civil or mixed civilian and military firefighting assistance. In the absence of mutual aid agreement, and when in the best interest of the United States, a commander with Group Three approval authority may provide emergency civilian or mixed civilian and military assistance in extinguishing fires and in preserving life or property from fire, within the vicinity of an installation. In either case, civilian firefighters may be used provided:

(a) In civil disturbance situations where there is significant danger of physical harm to firefighters and the civilian employees volunteer for the assignment. (DOD civilian employees acting in this volunteer capacity are acting as federal employees.)

(b) Firefighting equipment is not to be used for riot control.

(c) Civil authorities recognize that prior to the commitment of federal forces to assist in restoring law and order, the protection of firefighting crews and equipment is the responsibility, in ascending order, of municipal, county and state officials. Failure on the part of such authorities to recognize this responsibility or to provide adequate protection will be grounds for refusal to commit installation resources or for withdrawal of resources already employed. This responsibility in no way infringes upon the right of the individual to use necessary force to protect himself from violent attack.

(3) Use of Army facilities by civilian agencies in excess of thirty days for civil disturbance operations requires approval by HQDA (ATTN: DAEN-REZ).

d. Requests for Groups One, Two or Three resources and for renewal of outstanding loans/leases, should be forwarded through the chain of command to the approving authority with recommendations for approval or disapproval from each level.

e. Commanders having initial approval authority may grant, for good cause shown, a single extension of an outstanding loan/lease. Extensions of Type I loans (paragraph 6a) will be

for a maximum of 15 days. Extensions of Type II loans/leases (paragraph 5b) will be for a maximum of 90 days. Further extensions will be approved only at military departmental level.

6. CATEGORIES OF LOANS/LEASES. Loans/leases are categorized by type, contingent upon the duration of the loan/lease period.

a. Type I: To meet an urgent need during an actual disorder. Loans/leases of this type will be for the duration of the disorder, up to a maximum term of 15 days, renewable only as provided in para 5e above.

b. Type II: To meet a need in anticipation of imminent threatened civil disorder. Such loans/leases may be granted to a civil authority when a binding purchase contract has been executed to procure resources substantially similar to the military property requested and there is substantial lead time before delivery. Loans/leases of this type will be for the duration of the procurement period up to a maximum term of 90 days, renewable only as provided in paragraph 5e above. The fact that a civil authority has submitted a purchase request for DOD surplus military equipment is not considered a binding purchase contract without assurance from the Defense Logistics Service Center that the items for which the purchase request is made can be delivered to the civil authority within a 90-day period. Army units see AR 500-50.

7. REPORTS. Civil Disturbances Report - Providing Resources to Civil Authorities (RCS DD-A(AR) 1112).

a. Reports of all requests for military resources (approved, denied, or pending) for civil disturbance operations will be prepared by the appropriate approving authorities, using the format shown in Appendix 1, and forwarded through channels as follows:

(1) To the military department headquarters, in the case of requests received in CONUS by the services.

(2) To DA, ATTN: DAMO-ODS, in the case of requests for firefighting assistance received by the DLA.

(3) To DA, ATTN: DAMO-ODS, with information copies to JCS in the case of requests received by organizations or installations outside CONUS over which the commanders of unified and specified commands exercise command authority.

b. Reports received by the military departments will be forwarded to DA, ATTN: DAMO-ODS, for the DOD Executive Agent.

SECTION II

LEASES TO STATE/LOCAL GOVERNMENTS AND STATE/LOCAL LAW ENFORCEMENT AGENCIES

8. POLICY. Military resources under the control of the DOD may be leased to state and local governmental bodies and to law enforcement agencies for use during civil disturbance operations.

9. PROCESSING OF REQUESTS. For lease purposes, requests from officials of the District of Columbia will be governed by Section IV. Requests for military resources for use in connection with civil disturbances from officials of the 50 States, the Commonwealth of Puerto Rico, U.S. possessions, and U.S. territories, or any political subdivision thereof, will be promptly forwarded through channels to the appropriate approving authority (commanders of unified or designated outside continental United States (OCONUS) commands will coordinate such requests originating from areas outside CONUS), using the format shown in Appendix 1, except as noted below:

a. Requests for resources that require DOD Executive Agent approval will be forwarded through channels to DA, ATTN: DAMO-ODS.

b. Requests for Group Three resources not available to commanders having approval authority will be forwarded through channels to DA, ATTN: DAMO-ODS. Intermediate commands will, as appropriate, approve and make available the requested resources.

c. Requests received by personnel of DOD agencies will be referred to local military commanders for processing (Exception: agencies subordinate to DLA will forward requests for fire-fighting assistance to DLA).

d. Requests will be forwarded and processed consistent with the degree of urgency dictated by the situation.

e. IAW AR 500-50, paragraph 3-4, requests from civil law enforcement agencies for training assistance related to the control of civil disturbances will not be approved at the local level. Such requests should be referred to the nearest U.S. Attorney, DOJ.

10. CONTROL OF CS MUNITIONS. In instances where large amounts of CS munitions are provided to civil authorities, the approving authority, as stated in paragraph 5b above, will direct that a limited amount be issued initially, similar to the basic load concept. The remainder will be retained under Army control in the AO. Commanders will establish appropriate controls and provide necessary personnel to implement this procedure.

11. LEASE AGREEMENTS. Written agreements will be executed concurrently with all leases of military property under this section.

a. Unless waived by the appropriate authority, lease agreements will include provisions for required fees and a surety bond in the amount of the total replacement cost of the leased property.

(1) The surety bond will be generally governed by the provisions of Part 2 of Section X, Armed Services Procurement Regulations, and will consist of properly executed Standard Form 25, Performance Bond (June, 1967, ed.) or certified bank check, or cash or negotiable U.S. bonds deposited with the Treasurer of the United States. The surety bond need not be posted by the borrowing agency itself; so long as the bond is valid, the source or originating agency is immaterial. For example, in order to secure a lease, a state may post bond on behalf of a city, county, or other governmental body or authority within the state.

(2) In an extreme emergency, when the requirement for posting bond would unduly delay approval of a valid request for lease of military property which involves a total current item price (i.e., total amount of the loan) of \$1,000 or less, a commander having approval authority under paragraph 5 above may approve the request on the condition that bond be posted within a reasonable time (not to exceed five days). Absolute waiver of the requirement to post bond will be granted only at military departmental level.

(3) Bond will be forfeited in the event of failure to return leased property only with the concurrence of the DOD Executive Agent. Requests for authority to forfeit bond will be transmitted to HQDA (ATTN: DAMO-ODS) who will refer them to appropriate authorities for action.

b. Lease agreements will be executed IAW formats specified in AR 700-131 (or corresponding regulations of the Navy or Air Force).

SECTION III

LEASES TO THE NATIONAL GUARD

12. POLICY.

a. Leases of military resources will be approved, if possible, when the National Guard on state active duty status is authorized the military resources and DOD is unable to provide them on a permanent basis. The National Guard of the states,

the Commonwealth of Puerto Rico, and the District of Columbia will be responsible for reimbursement of costs over the normal DOD operating expenses incurred in connection with leased DOD equipment. Guidance contained in AR 700-131 pertaining to leases to civil authorities is also applicable to reimbursement by the National Guard.

b. Except as authorized by applicable service regulations, military property issued or leased to the National Guard may not be further leased without approval of the National Guard Bureau and the DOD Executive Agent. Requests to do so will be forwarded to HQDA (ATTN: DAMO-ODS).

13. PROCESSING OF REQUESTS. Requests for military resources received from the National Guard will be promptly submitted through channels to the appropriate approving authority using the format shown in Appendix 1, except as noted below:

a. Requests for resources that require Executive Agent approval will be forwarded through channels to DA, ATTN: DAMO-ODS.

b. Requests for resources not available to commanders having Group Three approval authority will be forwarded through channels to DA, ATTN: DAMO-ODS. Intermediate commands will, as appropriate, approve and make available the requested resources.

c. Requests for equipment which involve personnel to operate the equipment, excluding firefighting, EOD, and EDD teams, will be processed as a Group One military resource.

14. LEASE RECEIPT. The receiving state will receipt for leased military property using the agreement format in AR 700-131 or in corresponding regulations of the Navy or Air Force.

SECTION IV

LOANS TO FEDERAL AGENCIES

15. POLICY.

a. Commanders having Group Three approval authority under paragraph 5 above are authorized to approve requests for the loan of Group Three military resources (less personnel) of active and reserve forces to non-DOD federal agencies in anticipation of or during civil disturbances. Loans to the Government of the District of Columbia will also be governed by this section. Firefighting, EOD, and EDD team support may be provided as a complete resource, to include personnel.

b. As required by 31 United States Code 1535 (Economy Act), federal agencies will be responsible for reimbursement of costs in addition to normal DOD operating expenses which are incurred in connection with loaned property. Reimbursement will be IAW AR 700-49, AR 700-131, and DSAR 4140.27, except that federal agencies shall not be required to make any payment for fair wear or tear or normal depreciation of any of the property.

c. Military property loaned to federal agencies may not be further loaned or leased without the written approval of the approving authority. Requests to do so will be forwarded to HQDA (ATTN: DAMO-ODS).

d. Loans to the U.S. Secret Service will be IAW with AR 1-4/AFR 205-12/SECNAVINST 3020.4.

e. Loans to the FBI will be IAW Annex 0.

16. PROCESSING OF REQUESTS. Requests for military resources received from federal agencies will be promptly submitted through channels to the appropriate approving authority using the format shown in appendix 1, except as noted below:

a. Requests for resources that require DOD Executive Agent approval will be forwarded through channels to HQDA (ATTN: DAMO-ODS).

b. Requests for resources not available to commanders having Group Three approval authority will be forwarded through channels to HQDA (ATTN: DAMO-ODS). Intermediate commands will, as appropriate, approve and make available the requested resources.

c. Requests for equipment which involve personnel to operate the equipment (excluding firefighting, EOD, and EDD teams) will be processed as a Group One military resource.

17. LOAN AGREEMENTS. Written agreements will be executed concurrently with all loans of military property to federal agencies in connection with civil disturbances. Neither surety bonds nor binding purchase contracts are required. Loan agreements will be executed IAW AR 700-131 or corresponding Navy or Air Force regulations.

Appendixes: 1 - Request and Report Format

2 - Sample Loan Agreement

3 - Sample Lease Agreement

APPENDIX 1 (REQUEST AND REPORT FORMAT) TO ANNEX K (LOAN OF DOD
MILITARY RESOURCES) TO DEPARTMENT OF DEFENSE CIVIL DISTURBANCE
PLAN

1. All requests for assistance in support of civil disturbance operations--whether denied, approved, or forwarded for approval -- will be reported promptly using the format at paragraph 2 below. The Report Control Symbol (RCS) for this report is RCS DD-A(AR) 1112. The appropriate security classification will be placed on this document when completed.

2. Request and Report Format.

- a. DOD organization receiving request.
- b. Place (city, town, village, county) of the actual or anticipated civil disturbance.
- c. Name and title of requesting official (and/or person authorized to receive or pick up loaned/leased materiel, when request is for materiel).
- d. Date-time group (ZULU) request for assistance was received.
- e. Scope of the disturbance or the threat of disturbance existing at the time of the request.
- f. Type, group, and quantities of assistance requested.
- g. Purpose for which the assistance is requested.
- h. Number of control personnel (civil police) available for employment.
- i. Anticipated duration the assistance will be required.
- j. Anticipated impact on local community relations resulting from approval/disapproval of the request.
- k. Statement as to whether the request was granted or denied (to include DTG ZULU of notification to requestor) and the level at which the decision was made.
- l. Reasons for denial of referring the request to higher headquarters.
- m. If request referred to higher headquarters, provide a recommendation and comments, as appropriate, for approval or denial.

n. If appropriate, provide additional information on emergency firefighting assistance provided in a civil disturbance situation.

o. Other pertinent information, e.g., effect on ability to perform assigned missions and, if so, the extent and duration; category and duration of loan; and ability to provide items requested.

APPENDIX 2 (SAMPLE LOAN AGREEMENT) TO ANNEX K (LOAN/LEASE OF
DEPARTMENT OF DEFENSE RESOURCES) TO DEPARTMENT OF DEFENSE CIVIL
DISTURBANCE PLAN

AGREEMENT FOR THE LOAN OF US ARMY MATERIEL

This form will be used to enter into agreements relative to the loan of Army materiel between the United States Army and --

1. Non-DOD federal departments and agencies.
2. Civilian activities specifically authorized to receive Army materiel on loan.

Paragraphs below are applicable to cases, as cited above, unless otherwise specified at the beginning of each paragraph.

This loan agreement is entered into, by, and between the United States of America, hereinafter called "the lender," represented

by (b) _____

for the purpose of entering into this agreement; and

(a) _____

hereinafter called "the borrower," represented by

(c) _____

for the purpose of entering into this agreement.

1. PURPOSE. Under the authority of (d) _____, the lender hereby lends to the borrower and the borrower hereby borrows from the lender the Government materiel, hereinafter called "the materiel," listed and described in Exhibit 1 hereto attached and incorporated by reference into the terms of this agreement, which materiel is required by the borrower for

(e) _____

2. TERM. This loan of materiel is intended to meet a temporary need covered by federal law. The borrower will keep the materiel

only for the period of (f) _____. Loans may be renewed, if justified, and requested by the borrower and approved

by the lender. Nevertheless, the lender may revoke and terminate this agreement and demand return of the materiel in whole or in part at any time.

3. CONDITIONS. This agreement is predicated upon the following conditions:

a. The lender will make every effort to ensure that each item of the materiel is furnished to the borrower in a serviceable and usable condition according to its originally intended purpose. However, if the use for which the materiel is loaned will permit, materiel of a lesser condition will be loaned. This lesser condition will be noted on the appropriate loan documents. Nevertheless, the lender makes no warranty or guarantee of fitness of any of the materiel for a particular purpose or use; or warranty of any type whatsoever.

b. The borrower will appoint a representative for the purpose of making joint inspection and inventory of all materiel when the borrower physically picks up or returns the borrowed materiel. Upon pickup (or receipt after shipment) of the borrowed materiel, the chief of the borrowing activity (or his authorized representative) will sign the appropriate documents acknowledging receipt and possession of the materiel. Upon return of the materiel to the Army, the borrower will certify that "the quantities listed in the shipping document(s) are correct." In instances where borrower representatives, authorized to receive and sign for borrowed materiel, are not available when the materiel is delivered, all claims for costs related to the loan will be valid.

c. The borrower is responsible for care and maintenance of borrowed materiel during the term of the loan. The borrower will provide sufficient personnel and facilities to adequately operate, maintain, protect, and secure the borrowed materiel. The borrower will maintain the materiel in a serviceable condition and ascertain that it is returned to the Army in as good a condition as when it was loaned (fair wear and tear excepted). Records of maintenance performed will be kept and returned to the Army with the borrowed materiel. (NOTE: When appropriate, the borrowing activity will place the materiel in a "properly preserved" status prior to or upon return.)

d. The borrower will store, safeguard, and secure high value items, or arms in a manner consistent with common practice, public law, and local ordinances.

e. The borrower will prevent misuse of borrowed materiel; or its use by unauthorized persons.

f. The borrower will neither make nor permit any modification or alteration of any borrowed materiel except with permission of the approving authority for the loan.

g. The borrower will not mortgage, pledge, assign, transfer, sublet, or part with possession of any borrowed materiel in any manner to any third party either directly or indirectly except with the prior written approval of the lender.

h. At all times the lender shall have free access to all loaned materiel for the purpose of inspecting or inventorying it.

i. The borrower will return borrowed materiel to a location designate by the lender when the materiel is no longer needed; upon termination of the loan period (including any approved extension); or upon demand therefore by the lender. The lender will provide documents to be used by the borrower to return the materiel.

j. (Applicable to agreements involving the loan of an Army building.) The building will not be moved. Upon termination of its use, the borrowing activity will vacate the premises, remove its own property therefrom, and turn in all Government property.

4. PAYMENT. The borrower will reimburse the lender for expenses incurred in connection with this loan as provided below:

a. (Applicable to loan agreements with civil authorities -- except for FDAA requested disaster assistance -- and civilian activities only.) Before delivery of any materiel by the lender, the borrower will post with the approving authority a surety bond and a certified bank check, U.S. Treasury bonds, or bonding company bond in the amount of the total value of the materiel as shown in Exhibit I (See paragraphs 2-7a(2)(a) and 2-7a(2)(b), AR 700-131, for exceptions where a "double bond" is required.) The bond, marked Exhibit II, (properly executed surety bond and evidence of deposit with the approving authority of certified check, United States of America Treasury bonds, or bonding company bond in the amount of the grand total shown on Exhibit I), is hereto attached and incorporated by reference into the terms of this agreement.

b. (Applicable to loan agreements with civil authorities -- except for FDAA requested disaster assistance -- and civilian activities only.) Should the borrower fail to return any of the borrowed materiel or fail to reimburse the lender within 30 days after receiving a request for payment of expenses, the bond shall be forfeited as liquidated damages in an amount equal to the expense to the Government.

c. (Applicable to loan agreements with civil authorities -- except for FDAA requested disaster assistance -- and civilian activities only.) Payment of liquidated damages by forfeiture of any portion of the bond to the Government shall not operate as a sale to the borrower of any of the materiel available to be returned, but not returned to the lender, nor to extinguish the lender's right to have the available missing materiel returned. Should the borrower later return to the lender any of the missing materiel on account of which a portion of the bond was forfeited as liquidated damages, the borrower shall be entitled to recoup from the lender a sum equal to 90 percent of the price of the returned materiel as shown on Exhibit I, less an amount in payment for expenses, if any, computed in accordance with Chapter 6, AR 700-131, and less an amount for depreciation.

d. (Applicable to loan agreements with civil authorities and civilian activities only.) If the normal life expectancy of borrowed materiel can be determined by reference to applicable military publications, the amount to be assessed for depreciation shall be computed by the straight line method using the price shown on Exhibit I and the date of expiration or termination of this loan as initial points. When normal life expectancy is not established by applicable military publications, the amount for depreciation shall be computed by the same method, applying a uniform depreciation rate of 50 percent per annum.

e. (Applicable to loan agreements with civil authorities and civilian activities only.) The borrower will assume all responsibility for Army claims arising from the possession, use, or transportation of the borrowed materiel; and agrees to hold the lender harmless from any such claims and liability. The borrower will protect the interests of the lender by procuring comprehensive insurance for all borrowed materiel to include coverage for liability, property damage, fire and theft; and deductible collision insurance for motorized vehicles. The borrower will file duplicate copies of such insurance policy(ies) with the lender and prepare accident reports in accordance with existing laws and local ordinances.

f. The borrower will bear the cost of pickup and return of borrowed materiel; and, will reimburse the lender for costs incurred incident to packing, crating, handling, movement, and transportation of the materiel.

g. The borrower will reimburse the lender for any expenses necessary to repair, rehabilitate, or preserve the materiel following its return to the lender. (NOTE: Of any borrowed materiel, unless depreciation is significant.)

h. The borrower will reimburse the lender (as indicated and at the price shown on Exhibit I) for the cost of all of the

expendable materiel (including, but not limited to, petroleum, oil, and other lubricants) used or consumed during this loan.

i. The borrower will reimburse the lender for costs incident to the pay of Army personnel who may be temporarily required to operate, maintain, guard, or otherwise attend to borrowed Army materiel. This includes travel and per them costs for both Army uniformed and civilian personnel, and regular salary and overtime costs for Army civilians.

j. The borrower will reimburse the lender for any other expense to the lender arising in connection with the loan of Army materiel.

k. (Applicable to loan agreements with federal departments and agencies only.) The lender will indicate the specific accounting classification(s) against which any charges as enumerated above will be charged.

5. OFFICIALS NOT TO BENEFIT. No member of or delegate to Congress shall be admitted to any share or part of this loan or to any benefit arising in connection with it.

6. CONTINGENCY FEES. No person or agency acting for or on behalf of the borrower to solicit or obtain this loan shall be paid any commission, percentage, brokerage, or contingent fee in any way connected with this loan.

7. DISPUTES. Any disputes concerning a question or fact arising under this loan agreement which are not mutually disposed of by the lender and the borrower shall be decided by the Secretary of the Army as the Government's Executive Agent, or by his designee.

Done at (g) _____ this _____

Typed name, grade/rank of Army
author-
approving authority for the
loan, or his designee

|Signature of approving
ity or his designee
|

Typed name of chief executive or
his authorized designee of the
borrowing agency, authority, or
activity

|Signature of chief executive or
his designee
|

INSTRUCTIONS: The lettered blank portions of the loan agreement are to be completed as specified in the following paragraphs with the same letters.

(a) Enter, as appropriate, the name of the federal agency; city, county, state, or other civil governmental body; or special activity (e.g., Boy Scouts of America, American Legion) which is borrowing the Army materiel.

(b) Enter name and title of the Army approving authority for the loan, or his designee.

(c) Enter name and title of the borrowing activity's chief executive (e.g., John Doe - Secretary of the Treasury, Governor of the State of Iowa, National Commander of the American Legion, etc.) or his authorized (in writing) designee.

(d) Enter the appropriate authority for the loan from Table 2-1, AR 700-131 (e.g., Public Law, U.S. Code, DODD).

(e) State the purpose of the loan (use to which the borrowed materiel will be put); e.g., disaster relief activities in support of the Johnstown, PA, flood; National American Legion Convention at Chicago, IL; etc.

(f) Enter the calendar period (duration of the loan; e.g., 1 March 1978 to 15 April 1979).

(g) Enter location, day, month, and year that the agreement was signed.

(h) Signature of the Army approving authority for the loan, or his designee.

(i) Signature of the chief executive, or his authorized (in writing) designee, of the borrowing agency, authority, or activity.

NOTE: Exhibits I and II will be prepared as attachments to the loan agreement.

AGREEMENT FOR THE LOAN OF U.S. ARMY MATERIEL

CERTIFICATE FOR SIGNATURE BY AN ALTERNATE

I, the (a) _____
of the (b) _____
named as the borrower in this loan agreement, certify that (c)
_____ who signed this agreement on behalf
of the borrower, was then (d) _____ of
(b) _____ and that this loan
agreement was duly signed on behalf of (b) _____
_____ by authority of its governing
or directing body and is within the scope of its lawful powers.
In witness whereof I have hereunto affixed my hand and seal of
(b) _____
this (e) _____ day of (f) _____, 19(g)_____.

(OFFICIAL SEAL)

(Name and Title of certifying
officer)

(Signature)

INSTRUCTIONS: The lettered blank portions of the certificate are
to be completed as specified in the following paragraph with the
same letters.

(a) Enter the title of the chief officer of the borrowing
activity, e.g., Governor, Chief Scout Executive, National
Commander American Legion, etc.; (b) Enter the name of the

federal agency, civil authority, or the civilian activity borrowing the materiel: (c) Enter the name of the person who signed the agreement: (d) Enter the title of the person who signed the agreement: (e) Enter the date (e.g., 5th) of the month on which the certificate was signed; (f) Enter the month (e.g., July) in which the certificate was signed: (g) Enter the year (e.g., 1978) in which the certificate was signed.

APPENDIX 3 (SAMPLE LEASE AGREEMENT) TO ANNEX K (LOAN/LEASE OF
DEPARTMENT OF DEFENSE RESOURCES) TO DEPARTMENT OF DEFENSE CIVIL
DISTURBANCE PLAN

AGREEMENT FOR THE LEASE OF U.S. ARMY MATERIEL

NOTE: The format below is prescribed for any lease of Army materiel under the authority of 10 U.S.C. 2667.

This form will be used to enter into agreements relative to the lease of Army materiel between the United States Army and --

1. State and local government agencies;
2. Private individuals; and
3. Commercial activities.

LESSEE AND ADDRESS:

PROPERTY TO BE USED AT:

PAYMENT:

To be made to _____
United States Army, at _____

This lease is authorized by 10 U.S.C. 2667.

This LEASE AGREEMENT, entered into this _____ day
of _____ 19__ by and between the UNITED STATES OF AMERICA,
hereinafter called the Government, represented by the Contracting
officer executing this agreement, and _____

*a corporation organized and existing under the laws of the
State/City/County of _____

*joint venture consisting of _____

*partnership consisting of _____

*an individual trading as _____

of the City of _____

in the State of _____

hereinafter called the lessee.

Witnesseth That,

1. The Government hereby leases to the Lessee and the Lessee hereby hires from the Government, upon the terms and conditions hereinafter set forth, the personal property listed in Schedule A which is attached hereto and made a part hereof.

2. This lease is subject to the approval of _____ and shall not be binding until so approved. The term of this lease shall commence on the _____ day following the mailing of written notice to the Lessee that the lease has been so approved and that the property is ready for delivery, and shall continue for a period of _____ [days, months, or years] or until sooner terminated or revoked in accordance with the provisions hereof.

3. At any time during the term, either party may terminate this lease in whole or in part effective not less than 90 days after receipt by the other party of written notice thereof without further liability to either party. However, the Secretary of the army may revoke this lease in whole or in part at any time.

4. Upon commencement of the term of this lease, the Lessee shall take possession of the leased property at _____ as is, without warranty express or implied, on the part of the Government as to condition or fitness for any purpose.

5. The Lessee shall pay rent during the term of this lease at the rate prescribed in Schedule A. The rental accrued at the end of any calendar month, or at the expiration, termination or revocation of this lease, shall be paid to the Government on or before the 10th day thereafter.

6. The Lessee at its own expense shall maintain the property in good condition and repair and make all necessary replacements of components and parts during the term of this lease. In addition, AR 700-131, Chapter 5, provides examples of reimbursable costs required to be paid by the Lessee to the

Army for the lease of property. The Lessee shall make no changes or alterations in the property without the written consent of the Contracting Officer.

7. The Lessee shall not mortgage, pledge, assign, transfer, sublet, or part with possession of any of the property in any manner to any third party either directly or indirectly, except that this provision shall not preclude the Lessee from permitting the use of the property by a third party with the prior written approval of the Contracting Officer; and the Lessee shall not do or suffer anything whereby any of the property shall or may be encumbered, seized, taken in execution, attached, destroyed, or injured.

8. After taking possession as provided in clause 4, the Lessee shall be solely responsible for the property until it is returned to the Government as provided for in this lease. The property shall be returned in as good condition as when received, reasonable wear and tear excepted. If the Lessee fails to return the property, the Lessee shall pay to the Government the amount specified in Schedule A (prepared by the Contracting Officer and appended to this agreement) as the value of the property less the amount determined by the Contracting Officer to represent reasonable wear and tear for the period during which the property was usable. If the Lessee returns the property in other than as good condition as when received, reasonable wear and tear excepted, the Lessee shall pay to the Government the amount necessary to place the property in such condition, or if it is determined by the Contracting Officer that the property cannot be placed in such condition, the Lessee shall pay to the Government the amount specified in Schedule A as the value of the property less both the amount determined by the Contracting Officer to represent reasonable wear and tear for the period during which the property was usable and the scrap value of the property.

9. The Lessee shall take all steps necessary to protect the interest of the Government in the property, and the Contracting officer may require the Lessee, at its own expense, to take such specific measure, including but not limited to the procurement of insurance, as may be necessary to protect such interest.

10. On or before the last day of the term of this lease the Lessee shall return the property to the Government at _____ or such other place as the Contracting Officer may designate, except that in the event of revocation of this lease the Lessee shall return the property to the Government at the designated place as soon after such revocation as the same can be accomplished. The Lessee shall reimburse the Government immediately, upon presentation of a statement thereof, for all packing and handling costs

incurred by the Government in performance of this lease. The Lessee shall also pay all other packing, handling, and transportation charges, including the expenses of reinstalling the property or processing it for extended storage, except that the Lessee's responsibility for return transportation charges shall not exceed the amount required to return the property to the place specifically named above. Further, if the Contracting officer designates a place to which the property is to be returned other than that specifically named above and if the time required to return the property to such other place exceeds the time required to return the property to the place specifically named above, then the item for which the Lessee must pay rent under Clause 5 shall be reduced by the amount of such excess.

11. The property is leased without operators. Any operator deemed incompetent by the Contracting Officer shall be removed from the property.

12. Upon request of the Lessee, the Contracting Officer shall furnish without charge, copies of such drawings, specifications or instructions as the Lessee may require for the operation or repair of the property and as may in the discretion of the Contracting Officer be reasonably available.

13. The Government shall not be responsible for damages to property of the Lessee or property of others, or for personal injuries to the Lessee's officers, agents, servants, or employees, or to other persons, arising from or incident to the use of the property herein leased, and the Lessee shall save the Government harmless from any and all such claims; provided, that nothing contained in this Clause 13 shall be deemed to affect any liability of the Government to its own employees.

14. At all times the Contracting Officer shall have access to the job site whereon any of the property is situated, for the purposes of inspecting or inventorying the same, or for the purpose of removing the same in the event of the termination of this lease.

15. CONTROL OF GOVERNMENT PROPERTY. The provisions of Subpart 45.5 of the Federal Acquisition Regulation (FAR) and the DOD FAR Supplement which set forth requirements for establishing and maintaining control over Government Property are incorporated by reference and made a part hereof.

16. OFFICIALS NOT TO BENEFIT. No member or delegate to Congress, or resident commissioner, shall be admitted to any share or part of the lease, or to any benefit that may arise therefrom; but this provision shall not be construed to extend to this lease, if made with a corporation for its general benefit.

17. COVENANT AGAINST CONTINGENT FEES. The Lessee warrants that no person or selling agency has been employed or retained to solicit or secure this lease upon an agreement or understanding for a commission, percentage, brokerage, or contingent fee, exception bona fide employees or bona fide established commercial or selling agencies maintained by the Lessee for the purpose of securing business. For breach or violation of this warranty the Government shall have the right to annul this lease without liability or in its discretion to require the Lessee to pay, in addition to the contract price or consideration, the full amount of such commission, percentage, brokerage, or contingent fee.

18. DISPUTES (APR 1984).

(a) This lease is subject to the Contract Disputes Act of 1978 (41 U.S.C. 601-613) (the Act).

(b) Except as provided in the Act, all disputes arising under or relating to this lease shall be resolved under this clause.

(c) "Claim," as used in this clause, means a written demand or written assertion by one of the parties seeking, as a matter of right, the payment of money in a sum certain, the adjustment or interpretation of lease terms, or other relief arising under or relating to this lease. A claim arising under a lease, unlike a claim relating to that lease, is a claim that can be resolved under a lease clause that provides for the relief sought by the claimant. However, a written demand or written assertion by the Lessee seeking the payment of money exceeding \$50,000 is not a claim under the Act until certified as required by subparagraph (d)(2) below. A voucher, invoice, or other routine request for payment that is not in dispute when submitted is not a claim under the Act. The submission may be converted to a claim under the Act, by complying with the submission and certification requirements of this clause, if it is disputed either as to liability or amount or is not acted upon in a reasonable time.

(d) (1) A claim by the Lessee shall be made in writing and submitted to the Contracting Officer for a written decision. A claim by the Government against the Lessee shall be subject to a written decision by the Contracting officer.

(2) For Lessee claims exceeding \$50,000, the Lessee shall submit with the claim a certification that --

(i) The claim is made in good faith.

(ii) Supporting data are accurate and complete to the best of the Lessee's knowledge and belief; and

(iii) The amount requested accurately reflects the adjustment for which the Lessee believes the Government is liable.

(3) (i) If the Lessee is an individual, the certification shall be executed by that individual.

(ii) If the Lessee is not an individual, the certification shall be executed by --

(A) A senior company official in charge at the Lessee's plant or location involved; or

(B) An officer or general partner of the Lessee have overall responsibility for the conduct of the Lessee's affairs.

(e) For Lessee claims of \$50,000 or less, the Contracting Officer must, if requested in writing by the Lessee, render a decision within 60 days of the request. For Lessee-certified claims over \$50,000 the Contracting Officer must, within 60 days, decide the claim or notify the Contractor of the date by which the decision will be made.

(f) The Contracting Officer's decision shall be final unless the Lessee appeals or files a suit as provided in the Act.

(g) The Government shall pay interest on the amount due and unpaid from (1) the date the Contracting Officer receives the claim (properly certified if required), or (2) the date payment otherwise would be due, if the date is later, until the date of the payment. Simple interest on claims shall be paid at the rate, fixed by the Secretary of the Treasury as provided in the Act, which is applicable to the period during which the Contracting Officer receives the claim and then at the rate applicable for each 6-month period as fixed by the Treasury Secretary during the pendency of the claim.

19. ADJUSTMENT OF RENTALS--STATE OR LOCAL TAXATION. Except as may be otherwise provided, the rental rates established in this lease do not include any State or local tax on the property herein leased. If and to the extent that such property is hereafter made taxable by State and local government by Act of Congress, then in such event the lease shall be renegotiated.

20. Except as otherwise specified in this lease, all notices to either of the parties to this lease shall be sufficient if mailed in a sealed postpaid envelope addressed as follows:

To the Lessee

(Name)

(Address)

To the Government

(Name)

(Title)

(Address)

21. DEFINITIONS. As used throughout this lease, the following terms shall have the meanings set forth below:

(a) The term "Secretary" means the Secretary, the Under Secretary or any Assistant Secretary of the Department and the head or any assistant head of the executive agency; and the term "his duly authorized representative" means any person or persons or board (other than the Contracting Officer) authorized to act for the Secretary.

(b) The term "Contracting Officer" means the person executing this lease on behalf of the Government and any other officer or civilian employee who is a properly designated Contracting Officer; and the term includes, except as otherwise provided in this lease, the authorized representative of a Contracting officer acting within the limits of his authority.

22. This agreement shall be subject to the written approval of the Secretary of the Army or his duly authorized representative and shall not be binding until so approved.

23. ALTERATIONS. The following changes were made in this lease before it was signed by the parties hereto:

IN WITNESS WHEREOF, the parties hereto have executed this lease as of the day and year first above written.

AMERICA

THE UNITED STATES OF

Two witnesses:

By

=

Title)

(Official

(Address)

(Lessee)

By _____

(Address)
Address)

(Business

I _____ certify that I am the
Secretary of the Corporation named as Lessee herein, that
_____ who signed
this lease on behalf of the Lessee was then _____
_____ of said corporation;
that said lease was duly signed for and on behalf of said
corporation by authority of its governing body and is within the
scope of its corporation powers.

IN WITNESS WHEREOF, I have hereunto affixed my hand the seal of
said corporation

this _____ day of _____, 19__.

[CORPORATE SEAL]

(Secretary)

ANNEX L (EXPLANATION OF TERMS) TO DEPARTMENT OF DEFENSE CIVIL
DISTURBANCE PLAN

The following explanation of terms applies to words, phrases, and acronyms used in GARDEN PLOT and does not alter or change the usage set forth in JCS Publications 1 and 2 or in DOD Directive 3025.12.

| | |
|--------------------|--|
| AACG | Arrival Airfield Control Group; a team provided by the CINC responsible for an airlift movement to control units being airlifted at the airfield during offloading operations in coordination with the airlift control element. |
| AAFES | Army and Air Force Exchange Service |
| ACL | allowable cargo loads |
| action item | specific action to be accomplished upon declaration of a CIDCON |
| AFB | Air Force base |
| AFRES | Air Force Reserve |
| ALCE | Airlift control element; a team of specially trained Air Force personnel who control, coordinate, and report airlift operations at an airfield. |
| ALO | air liaison officer |
| AMC | Army Materiel Command |
| AO | area of operations |
| AOC | Army Operations Center |
| AOR | area of responsibility; the geographical region over which a CINC has operational responsibility. |
| AR | Army Regulation |
| area of operations | Areas specified by the Presidential Proclamation and Executive Order in which the Secretary of Defense has been directed to restore law and order. The areas specified by the Proclamation and Executive Order may be further defined or limited in the alert order to the joint task force commander. |
| ARFCOS | Armed Forces Courier Service |

| | |
|---------------------------|---|
| ARRS | Aerospace Rescue and Recovery Service |
| ARS | Airlift Readiness Section |
| ASA(ILE) | Assistant Secretary of the Army for Installations, Logistics, and the Environment. |
| ATA | actual time of arrival |
| ATD | actual time of departure |
| attainment time | The directed no-later-than time at which designated GARDEN PLOT forces will achieve directed CIDCON posture. |
| base support installation | An installation of one of the military services located near an area of operations and designated to provide essential support services to deployed GARDEN PLOT forces (e.g. laundry, bath, rations, maintenance, and similar services). |
| BOI | basis of issue |
| BSI | base support installation |
| CDR | commander |
| CIDCON | civil disturbance condition |
| CINC | commander in chief |
| CINCFOR | Commander in Chief, Forces Command |
| CINCSAC | Commander in Chief, Strategic Air Command |
| CINCTRANS | Commander in Chief, Transportation Command |
| civil authorities | Those elected and appointed government officials and employees who constitute the government of the 50 states, District of Columbia, Commonwealth of Puerto Rico, U.S. possessions, and U.S. territories, or any political subdivision thereof. |
| civil disturbance | Group acts of violence and disorder prejudicial to public law and order within the 50 states, District of Columbia, Commonwealth of Puerto Rico, U.S. possessions and territories, or any political subdivision thereof; includes all domestic conditions requiring the use of federal armed forces pursuant to the provisions of Chapter 15 of Title 10, United States Code. |

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| civil disturbance condition | Those required conditions of preparedness to be attained by military forces in preparation for deployment to an area of operations in response to an actual or threatened civil disturbance. |
| civil disturbance operations | Operations conducted to suppress a civil disturbance and restore law and order. |
| CMC | Commandant of the Marine Corps |
| CNO | Chief of Naval Operations |
| committed forces | forces actively engaged in civil disturbance operations. |
| CONUS | Continental United States; the 48 contiguous states and District of Columbia. |
| CPA | Chief of Public Affairs |
| CPX | command post exercise |
| CSA | Chief of Staff, Army |
| CSAF | Chief of Staff, Air Force |
| CTA | Common Table of Allowances |
| DA | Department of the Army |
| DAF | Department of the Air Force |
| DACG | Departure Airfield Control Group; a team provided by the CINC responsible for an airlift movement to control units to be airlifted at the airfield during onloading operations in coordination with the airlift control element. |
| D.C. | District of Columbia |
| DCA | Defense Communications Agency |
| DCASR | Defense Contract Administration Services Region |
| DCPA | Deputy Chief of Public Affairs |
| DEFCON | Defense Readiness Condition |
| DEPREP | Deployment Reporting Procedure |

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| DIA | Defense Intelligence Agency |
| DINSUM | Daily Intelligence Summary |
| DirMilSpt | Message address title for Director of Military Support (see DOMS) |
| DIS | Defense Investigative Service |
| DISP | Defense Industrial Security Program |
| DLA | Defense Logistics Agency |
| DMA | Defense Mapping Agency |
| DN | Department of the Navy |
| DOD | Department of Defense |
| DODAC | Department of Defense Ammunition Code |
| DOJ | Department of Justice |
| DOIM | Director of Information Management |
| domestic | Within the 50 states, District of Columbia, Commonwealth of Puerto Rico, and U.S. possessions and U.S. territories |
| DOMS | Director of Military Support. The Army major general officer who forms and directs the task-organized joint staff that supports the Secretary of the Army in discharging his DOD executive agent function for civil disturbance operations; the Deputy DOMS is an Air Force brigadier general. |
| DTG | date-time group |
| EDD | explosive detection dogs |
| effective time | The time of day in which a specific CIDCON is ordered which authorizes execution of CIDCON actions. |
| ELT | engineer liaison team |
| EOC | emergency operations center |
| EOD | explosive ordnance disposal |
| EOM | end of mission |

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| ETA | expected time of arrival |
| ETD | expected time of departure |
| Executive Agent | The Secretary of the Army, for all matters pertaining to the planning for and employment of federal military resources in the event of domestic civil disturbances off military installations. |
| FAD | force activity designator |
| FAR | Federal Acquisition Regulation |
| FBI | Federal Bureau of Investigation |
| federal property | That property which is owned, leased, possessed, or occupied by the federal government. |
| federal function | Any function, operation, or action carried out under the laws of the United States by any department, agency, or instrumentality of the United States or by an officer or employee thereof. |
| FEMA | Federal Emergency Management Agency |
| FM | field manual |
| FONECON | telephone conversation |
| FORSCOM | Forces Command |
| GARDEN PLOT | nickname for the Department of Defense Civil Disturbance Plan |
| GO-CO | government-owned, contractor operated |
| GRAPHIC HAND | nickname for the Postal Augmentation Plan, published by Department of Defense |
| GROWN TALL | Exercise term for civil disturbance condition; e.g., GROWN TALL 4 equates to Civil Disturbance Condition 4. |
| GSA | General Services Administration |
| H-Hour | The time for deployment (wheels up) of the first aircraft from onload airfield for air movement or first vehicle crossing the start point at home station for motor movement to the area of operations. |

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| HQDA | Headquarters, Department of the Army |
| IAW | in accordance with |
| ICW | in coordination with |
| INSCOM | Intelligence and Security Command |
| ISO | Installation Supply Office |
| JCS | Joint Chiefs of Staff |
| JIB | Joint Information Bureau |
| JRS | joint reporting structure |
| JTF | joint task force. The federal military force committed to an area of operations to conduct civil disturbance operations. |
| JTF/PAO | Joint Task Force Public Affairs Officer |
| KFL | key facilities list |
| LAT | logistics assistance team |
| LLT | logistics liaison team |
| LOGSTAT | logistics status |
| MAC | Military Airlift Command |
| MACOM | United States Army major command |
| MDEP | Management Decision and Execution Package |
| MDW | Military District of Washington (a U.S. Army major command) |
| MG | machine gun |
| military resources | military and civilian personnel, facilities, equipment under the control of a DOD component |
| MOBPERS | Mobilization Personnel System |
| MOU | memorandum of understanding |
| MP | military police |
| MPA | Military Personnel, Army |

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| MRE | meal, ready to eat |
| MSC | Military Sealift Command |
| MTMC | Military Traffic Management Command |
| NCA | National Command Authority |
| NCC | National Coordination Center |
| NCS | National Communications System |
| NGB | National Guard Bureau |
| NICP | National Inventory Control Point |
| NLT | not later than |
| NMR | news media representative |
| notification time | The time of day at which the headquarters of uniformed services, unified commands, specified commands, and other DOD components having GARDEN PLOT responsibilities acknowledge receipt of the directive to accomplish the action required for a particular CIDCON. |
| NS/EP | National Security and Emergency Procedures |
| NSN | national stock number |
| OCONUS | outside continental United States |
| OCPA | Office of the Chief of Public Affairs |
| ODISC4 | Office of the Director of Information Systems for Command, Control, Communications, and computers |
| OMA | Operation and Maintenance, Army |
| OPCON | operational control |
| Operating Agent/Supported CINC | The CINC designated by the Executive Agent to direct civil disturbance operations within his assigned, geographical area of responsibility. |
| OPLAN | operations plan |
| OPREP | operational report |
| OTJAG | Office of the Judge Advocate General |

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| PA | public affairs |
| PAC | public affairs chief |
| PACC | public affairs crisis coordinator |
| PERSTAT | personnel status report |
| PET | portable executive telephone |
| POA | point of arrival |
| POD | point of departure |
| POL | petroleum-oil-lubricants |
| QRF | quick reaction force |
| RCS | Report Control Symbol |
| REFORGER | return of forces to Germany |
| RMNCS | National Communications System Regional Manager |
| ROE | rules of engagement |
| ROTC | Reserve Officer Training Corps |
| RWI | radio/wire integration |
| SAW | squad automatic weapon |
| SCRAG | Senior Civilian Representative of the Attorney General. The senior individual of Department of Justice for a civil disturbance(s), appointed by the Attorney General to represent him during civil disturbance operations. |
| SF | Standard Form |
| SIDPERS | Standard Installation/Divisional Personnel System |
| SITREP | situation report |
| SOP | standing operating procedures |
| SP | start point. A well defined location on a route at which point the movement of vehicles comes under control of the movement commander. It is at this point that the column is formed by the successive |

passing, at an appointed time, of each of the elements composing the column.

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| SPOTREP | spot report |
| TAG | The Adjutant General of a state, Commonwealth of Puerto Rico, U.S. territory, or U.S. possession |
| TCC | transportation component command (i.e., MAC, MTMC, MSC) |
| TDA | Table of Distribution and Allowances |
| terrorist incident | A form of civil disturbance. A distinct criminal act, committed or threatened to be committed by a group or single individual, in order to advance a political objective, that greatly endangers safety or property. This does not include aircraft piracy emergencies. |
| TOE | Table of Organization and Equipment |
| TOT | time on target |
| TRADOC | Training and Doctrine Command |
| UMD | unit movement data |
| USACE | United States Army Corps of Engineers |
| USAF | United States Air Force |
| USAISC | United States Army Information Systems Command |
| USAR | United States Arm Reserve |
| USCG | United States Coast Guard |
| USCINCEUR | United States Commander in Chief, Europe |
| USCINCLANT | United States Commander in Chief, Atlantic Command |
| USCINCPAC | United States Commander in Chief, Pacific Command |
| USCINCTRANS | United States Commander in Chief, Transportation Command |
| USMC | United States Marine Corps |
| USN | United States Navy |
| USTRANSCOM | United States Transportation Command |

ANNEX M (CIVIL DISTURBANCE OPERATIONS INVOLVING U.S. COAST GUARD)
TO DEPARTMENT OF DEFENSE CIVIL DISTURBANCE PLAN

1. USCG will participate in certain civil disturbance operations because of its statutory duties.

2. Other civil disturbance operations will take place for which USCG has no statutory duties. For these operations, USCG participation will be defined through a memorandum of understanding (MOU) executed with DOD. This MOU will guide DOD and USCG cooperation during such operations. Appendix 1 of this annex provides a sample format for development of the MOU.

Appendix: 1 - Memorandum of Understanding Between the United States Army and the United States Coast Guard Concerning Civil Disturbance Plans and operations (Including Terrorist Incidents)

APPENDIX 1 (MEMORANDUM OF UNDERSTANDING BETWEEN THE UNITED STATES ARMY AND THE UNITED STATES COAST GUARD CONCERNING CIVIL DISTURBANCE PLANS AND OPERATIONS INCLUDING TERRORIST INCIDENTS) TO ANNEX M (OPERATIONS INVOLVING U.S. COAST GUARD) TO DEPARTMENT OF DEFENSE CIVIL DISTURBANCE PLAN

DEPARTMENT OF THE ARMY
TRANSPORTATION
Washington, D.C. 20310

20590

DEPARTMENT OF

United States Coast Guard
Washington, D.C.

MEMORANDUM OF UNDERSTANDING
BETWEEN THE
UNITED STATES ARMY AND THE UNITED STATES COAST GUARD
CONCERNING CIVIL DISTURBANCE PLANS AND OPERATIONS
INCLUDING TERRORIST INCIDENTS

This memorandum establishes policies, procedures, and guidelines relating to employment of elements of the U.S. Coast Guard as part of the federal forces committed to civil disturbance operations (to include any terrorist incidents) in [objective area] in the state of [name of state].

SECTION I

GENERAL

1. Civil disturbances are defined as group acts of violence and disorders prejudicial to public law and order within the 50 states, District of Columbia, Commonwealth of Puerto Rico, U.S. possessions and territories, or any political subdivision thereof. Terrorist incidents, a form of civil disturbance, are defined as distinct criminal acts committed or threatened to be committed by a group or single individuals in order to advance a political objective, and greatly endangering safety or property. For the purpose of this Memorandum of Understanding, this definition does not include aircraft piracy emergencies which are governed by separate directives.

2. The operational missions of the Coast Guard will be paramount; use of its resources in civil disturbance operations is contingent upon the ability of the Coast Guard to continue to perform its statutory duties.

3. In civil disturbance operations (except those in which the Coast Guard has direct involvement because of its statutory duties), employed Coast Guard elements will be responsible to the policies and procedures established by the Department of the Army Civil Disturbance Plan.

SECTION II

RESOURCES TO BE EMPLOYED

1. The Coast Guard will furnish such waterborne and airborne resources as are reasonably available to assist in civil disturbance operations. The Coast Guard will not be expected to form or maintain ground forces for employment in civil disturbance operations except to protect its own land facilities.
2. The Coast Guard may request assistance as required from other federal civil disturbance forces in order to carry out its statutory obligations of securing and protecting areas over which it has jurisdiction.
3. The Coast Guard will provide logistical support to other federal civil disturbance forces within the limits of locally available resources.
4. The Army will provide the Coast Guard with riot control munitions, loan of special equipment, and technical assistance if, when, and as required for civil disturbance operations.

SECTION III

COMMAND RELATIONSHIPS

The federal civil disturbance joint task force commander will exercise operational control over Coast Guard elements committed to the civil disturbance operation in [area of operations] in the state of [name of state] except in those cases where the Coast Guard has paramount statutory responsibility. Control will be received from and returned to the appropriate Coast Guard Area or District commander. Disputes, if any, concerning employment of resources will be referred to the Department of Transportation and Department of Defense for resolution.

SECTION IV

PLANS

Coast Guard Area and District commanders will prepare plans for employment of Coast Guard resources during civil disturbances. Coast Guard District commanders will normally coordinate with designated joint task force commanders, as appropriate. Coast Guard Area commanders will normally coordinate with designated operating agents, as appropriate.

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RESOURCES TO BE EMPLOYED

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COMMAND RELATIONSHIPS

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SECTION IV

PLANS

Coast Guard Area and District commanders will prepare plans for employment of Coast Guard resources during civil disturbances. Coast Guard District commanders will normally coordinate with designated joint task force commanders, as appropriate. Coast Guard Area commanders will normally coordinate with designated operating agents, as appropriate.

SECTION V

TRAINING

The Commandant, U.S. Coast Guard, is responsible for the training of Coast Guard personnel for their civil disturbance role. He will ensure these personnel are familiar with general guidance concerning use of force and the conduct and deportment expected of individual members of the federal civil disturbance forces, as outlined in the Department of Defense Civil Disturbance Plan.

SECTION VI

REPORTS

The commander of Coast Guard elements employed as part of a federal civil disturbance joint task force will render reports as requested by the joint task force commander. A standing operating procedure for submission of reports by Coast Guard elements will be included in the plan for employment of Coast Guard resources.

SECTION VII

COSTS

1. Costs incurred by each service will be borne by the respective services.
2. Logistical support between services will be on a reimbursable basis and will, wherever possible, be based upon existing cross-service agreements.

Done this [date] day of [month] [year] at the City of Washington.

FOR THE UNITED STATES ARMY:

FOR THE UNITED STATES COAST GUARD:

(Signature of Incumbent)
Major General, GS
Director of Military Support

(Signature of Incumbent)
Rear Admiral, U.S. Coast Guard
Chief of Staff

ANNEX N (PROTECTION OF FEDERAL PROPERTY AND FUNCTIONS) TO
DEPARTMENT OF DEFENSE CIVIL DISTURBANCE PLAN

1. REFERENCES.

- a. 18 US Code 1382.
- b. DOD Directive 3025.12.
- c. AR 500-50.
- d. AFR 355-11.
- e. SECNAVINST 5400.12.

2. PURPOSE. To provide guidance and establish policies and procedures for the use of federal military forces in the protection of federal property and functions during civil disturbances when a military JTF is committed in the AO. (NOTE: See paragraph 6 below for guidance in the event a civil disturbance threatens a military installation and a JTF is not employed in the AO.) For the purposes of this annex, federal property/functions are grouped as follows:

- a. Federal property/functions controlled by DOD.
- b. Federal property/functions controlled by other federal departments and agencies.

3. EXPLANATION OF TERMS. The following definitions apply to DOD-controlled federal property/functions:

a. Major installations or activities. Those which, because of their location with respect to the surrounding civilian domain, are clearly recognized as military enclaves. They include posts, camps, bases, stations, facilities, arsenals, depots, terminals, and satellite installations thereof.

b. Minor activities. Those which, by comparison with major installations and activities, are minor in scope and are normally located off an installation, such as offices, recruiting activities, reserve centers, and Reserve officer Training Corps (ROTC) units. Activities of this type are located within an area which is predominately under civil jurisdiction; thus, their identity as a DOD installation or activity is not readily recognized.

4. GENERAL. The right of the United States to protect federal property and functions with federal troops is an accepted principle of our government. This use is warranted only when

the need for protection of federal property or functions clearly exists and the state and local authorities cannot or will not give adequate protection.

5. GROUND FORCES EMPLOYED. The following policy applies to civil disturbances in which active federal military ground forces are employed, i.e. a federal JTF has been committed in an AO.

a. Federal property and functions will be afforded protection as required and within the capabilities of the committed JTF. The priority for protection of such property and functions in relation to other tasks will be determined by the JTF commander based upon the situation and instructions from the Executive Agent.

b. The protection of DOD installations in an AO is the responsibility of the installation commander. The JTF commander may assist in protective measures as required within his force's capabilities.

c. Operations to protect federal property and functions will be coordinated with the SCRAG, and with local and state civil officials, as appropriate.

6. GROUND FORCES NOT EMPLOYED. The following policy applies to civil disturbances in which active federal military ground forces are not employed.

a. Service regulations recognize the commander's authority to maintain law and order on his military installation. In exercising this authority, the commander may take such actions as are reasonably necessary and lawful in accordance with applicable regulations of the military services. A disturbance or disorder on a military installation is not within the purview of this plan.

b. When a disturbance outside of a DOD installation threatens damage to federal property or the disruption of federal functions on that installation, the following policy applies:

(1) Protection of installations and activities of the military departments is a responsibility of these departments. The use of protective measures to protect installations, to include the use of troop reinforcements, is the prerogative of the military departments and is not within the purview of this plan with the following exception: Due to the political and legal implications involved, the military departments will not take any action to reinforce minor activities (as defined in paragraph 3b above) without prior approval of the Executive Agent.

(2) Support to protective measures of installations and activities of DOD components other than the military departments is within the purview of this plan. Protective measures for these installations and activities will follow the policy and procedures established by the Department of Defense Civil Disturbance Plan.

(3) Commanders of all DOD installations and activities should obtain assistance from local and state authorities and from the local United States Attorney. Commanders should coordinate their protective measures with the law enforcement

c. When persons are engaged in a disturbance which affects federal property and functions controlled by non-DOD federal, departments and agencies, the Executive Agent responds to requests from the Attorney General and to requests received by military commanders from federal officials to assist in the protection of federal property and functions. Such assistance will follow the policy and procedures established by the Department of Defense Civil Disturbance Plan.

d. The protection of property is an inherent responsibility of ownership. Accordingly, the Department of Defense does not assume primary responsibility for the physical security of federal property under the control of other federal departments and agencies, facilities owned by any state or political subdivision thereof, or privately owned facilities. In this regard, the following specific policies apply:

(1) Physical security of government-owned, contractor-operated (GO-CO) plants and facilities is the responsibility of the contractor under the terms of the contract. The same responsibility for security applies to the safeguarding of DOD classified information released to industry, as well as to federal functions performed by private industry.

(2) DOD activities which occupy leased space under the control of GSA will be guided by GSA plans and procedures.

7. REQUEST FOR FEDERAL TROOP REINFORCEMENTS. Procedures for requesting federal military troop reinforcements to assist in protecting DOD-controlled federal property during a civil disturbance are as follows:

a. Requests for assistance to reinforce major installations and activities, under the jurisdiction of a military department, will follow the procedures and policies of that department. The military departments will keep the DOD Executive Agent informed of the situation through normal channels.

b. Requests for approval of actions by the military departments to reinforce minor activities during a civil disturbance will be forwarded to the DOMS on behalf of the Executive Agent.

c. Requests for assistance to reinforce installations and activities which are under the jurisdiction of DOD components other than the military departments will be referred to the DOMS on behalf of the Executive Agent.

8. NON-DOD CONTROLLED FEDERAL PROPERTY. Procedures for responding to requests to protect non-DOD controlled federal property during a civil disturbance are as follows:

a. Requests for assistance to reinforce federal property controlled by USCG will be treated IAW a memorandum of understanding between Department of Defense and USCG (see Annex M for sample memorandum of understanding).

b. Requests for assistance to protect other non-DOD controlled federal property and functions may be submitted at any level. Such requests will be forwarded to the DOMS on behalf of the Executive Agent through established command channels for action. Such requests will describe the type of federal property or functions involved, the reason why this property or function needs protection, and any available information concerning the actions taken or planned by civil authorities to protect the federal property or function.

9. COORDINATING INSTRUCTIONS. Commanders of major installations belonging to the military departments will, within their capabilities, respond to requests from the DIS to coordinate planning for receipt, storage, and safeguarding of classified material which may be removed from contractors' facilities threatened by a civil disturbance. DCASRs are responsible for movement of classified material from the civilian contractor facilities to the military installation. When physical force or violence is expected during the removal of classified material from a contractor's facility, current DOD policy requires that appropriate federal court orders be obtained by Department of the Army before removal is undertaken. Use of military resources by the DCASR to protect such removal is not authorized and requests for the same will not be approved.

ANNEX O (ASSISTANCE TO THE FEDERAL BUREAU OF INVESTIGATION IN
COMBATting TERRORISM) TO DEPARTMENT OF DEFENSE CIVIL DISTURBANCE
PLAN

1. REFERENCES.

- a. DOD Directive 3025.12.
- b. DOD Executive Agent Memorandum, "Employment of Military Resources to Assist the Federal Bureau of Investigation in the Event of Terrorist Incidents," dated 30 July 1973.
- c. AR 500-1.
- d. AR 500-50.

2. PURPOSE. To provide DOD assistance to the Federal Bureau of Investigation (FBI) in combatting acts of terrorism in the 50 states, District of Columbia, Commonwealth of Puerto Rico, and U.S. possessions and territories.

3. POLICY.

a. The President has directed federal departments and agencies to cooperate in an attempt to thwart terrorist incidents. The FBI has been given overall jurisdictional responsibility at the scene of a terrorist incident wherever it occurs, including military installations. DOD components are authorized as described below to respond to certain reasonable requests from the FBI for military resources for use in combatting acts of terrorism. Assistance may include requests for materiel, facilities, and technical personnel acting in an advisory capacity. Military personnel may not be used in a law enforcement role outside a military installation without Presidential authorization. If the President approves, troops may be provided for missions designated by the FBI pursuant to its responsibility for overall direction of operations during a terrorist incident. However, command and operational control of these troops will remain with their military chain of command.

b. DOD resources may be provided only upon request of the Director, FBI, or the senior FBI official present at the scene of a terrorist incident. When it is difficult to determine if the incident is indeed a terrorist one, commanders are authorized to accept the judgment of the FBI official making the request if his determination is consistent with available facts.

c. When FBI requests for DOD resources are not based on an actual or imminent threat, or do not arise directly from an ongoing terrorist incident, (e.g. requests for training support or long-term equipment loans), the request should be forwarded through the Department of Justice to Department of Defense.

4. PROCEDURES.

a. In order to respond to the requests described at paragraph 3b above, the loan procedures and policies prescribed at Annex K (Loan/Lease of DOD Military Resources) will apply except as modified below:

(1) Requests for Group Two and Three resources may be granted by secretaries of military departments, CINCs of unified or specified commands outside CONUS, or commanders of military installations or organizations who have been delegated such authority by their respective service secretaty or CINC.

(2) The Secretary of the Army has 4elegated authority to approve requests indicated in paragraph 4a(1) above to Army commanders in the chain of command down to and including installation commanders. The Secretary of the Navy has delegated authority to approve such requests to naval District commandants. The Secretary of the Air Force has delegated authority to approve such requests to commanders in the chain of command down to and including base commanders. Directors of defense agencies (e.g. DMA, DCA, DLA) may delegate authority to approve such loans down to installation/activity commanders.

(3) Requests for equipment that include technical/operating personnel (excluding fire fighting and explosive ordnance disposal personnel) will be processed as a Group One resource by all DOD components. These requests must be approved by the DOD Executive Agent and should be forwarded for action as expeditiously as possible to the Army Operations Center, The Pentagon, Washington, D.C.

(4) If requested Group Two and Group Three resources are unavailable on the installation, the request will be referred by the installation to other DOD facilities in the area and to the next higher echelon in the chain of command. The resources will come from that source that can fulfill the request the fastest.

b. The installation commander is responsible for the maintenance of law and order on his installation. DOD will take all actions within its capabilities to respond to and terminate any terrorist incident occurring on a military installation. When it is apparent that the perpetrators are civilians, or if the status of the perpetrators cannot be determined, the FBI will immedi-ately be notified. If the Secretary of Defense determines that available military forces are not adequate to respond to the incident (e.g., due to the location on the installation, lack of military personnel, unavailability of military counterterrorism forces), and that specialized federal or civil personnel may be needed to end the incident, he will contact the Attorney General to request the use of these personnel. When the decision is made

to commit these specialized federal or civil personnel during a terrorist incident on a military installation, the Attorney General will assume primary responsibility for coordinating this federal law enforcement assistance.

4. FUNDING.

a. All DOD assistance provided to the FBI under the provisions of this Annex will be on a reimbursable or reclaimable basis as appropriate in accordance with the Economy Act, 31 U.S. Code 1535.

b. Costing procedures. Reimbursement will be limited to incremental costs. These are costs which would not have been incurred in the absence of a terrorist incident. Standard pricing will be used to the maximum extent possible. Costs for use of aircraft will be IAW with established DOD cost per hour flying schedules. Accessorial and administrative costs will be IAW established service regulations. Installations/activities providing support will accumulate costs for each incident from the time the first action is taken to provide resources until such resources are withdrawn. These costs will be reported IAW Appendix 1 of Annex P.

5. REPORTING.

a. General. All support provided under the provisions of this Annex will be immediately reported by telephone to the AOC, commercial telephone (202) 697-0218/0219 or AUTOVON 227-0218/0219. If for any reason a request cannot be satisfied locally, or if that requirement involves a Group One resource, notify the AOC at once.

b. The format for reporting all support provided is contained in Appendix 1 (Request and Report Format) to Annex K (Loan of DOD Military Resources).

ANNEX P (FUNDING) TO DEPARTMENT OF DEFENSE CIVIL DISTURBANCE PLAN

1. REFERENCES.

- a. DOD Accounting Policy Manual 7220.9-M.
- b. DOD Directive 3025.12.
- c. AR 37-1.
- d. AR 500-50.

2. GENERAL. DOD assistance provided to DOJ for domestic civil disturbance operations is an unprogrammed emergency requirement. This assistance is provided on a cost reimbursable or cost reclaimable basis IAW the Economy Act, 31 U.S.C. 1535. Other statutes/agreements may apply to particular types of assistance. The service components of the Operating Agent/Supported CINC will capture all costs for civil disturbance operations using account processing codes or other standard accounting procedures. Other codes, such as JCS project codes and Management Decision and Execution Package (MDEP) codes, will be issued by JCS or by the headquarters of service components. It is the Operating Agent's/Supported CINC's responsibility to: collect the costs for civil disturbance operations of all service components and defense agencies; prepare cost reports for the Executive Agent; consolidate billings from the service components and defense agencies; forward consolidated bills to DOJ; and distribute reimbursements to the service components and defense agencies.

3. REIMBURSEMENT.

a. The Operating Agent/Supported CINC will submit a request to DOJ on Standard Form (SF) 1080, Voucher for Transfers Between Appropriations and/or Funds, within 30 days following provision of DOD assistance. Reimbursement will be made due from DOJ within 30 days. If the time span of DOD assistance exceeds 30 days, interim monthly billings will be submitted to DOJ. Disputes between the Operating Agent/Supported CINC and DOJ over any specific cost element on the SF 1080 will be settled on a case-by-case basis through negotiations between the Operating Agent and DOJ.

b. Conditions for waiver of reimbursement. The Economy Act does not preclude waiver of reimbursement. Insofar as reimbursement is not required by law, the authority to waive reimbursement resides with the Executive Agent. Reimbursement shall not be waived if use of DOD funds adversely affects the national security or preparedness of the United States. A request for waiver may be granted in the following circumstances:

(1) When assistance to DOJ is incidental to a military activity conducted for a military purpose.

(2) When assistance to DOJ provides training of military personnel or operational benefits that are substantially equivalent to training or operations conducted by DOD.

(3) When reimbursement is not required by law, and where waiver of reimbursement will have no adverse impact on military preparedness.

4. COSTING. When billing non-DOD agencies, standard pricing will be used to the maximum extent possible IAW the DOD Accounting Policy Manual (reference a). Reimbursement will include personnel costs and all incremental costs. Incremental costs are defined as those costs which would not have been incurred by DOD in the absence of military assistance. Standard DOD acceleration factors to cover accessorial and administrative costs will be used when determining the amount of reimbursement. These factors are IAW DOD guidance and established regulations. Reimbursement costs include, but are not limited to, the following:

a. All expenses associated with civil disturbance operations that are incurred by an industrial fund installation or organization.

b. Pay and allowances of military and DOD civilian personnel, including civilian overtime and the hire of additional, temporary personnel. (Pay and allowances, as well as subsistence expenses, for reserve component personnel on active federal status participating in civil disturbance operations, will be considered reimbursable as incremental costs.)

c. Travel and per them expenses for military and DOD civilian personnel. (This includes commercial and military surface and air transportation. Costs for use of military aircraft to support DOJ will be IAW the established non-DOD U.S. Government user reimbursement rate.)

d. Contractual services for board, lodging, and care of DOD personnel, including hospital care in non-DOD facilities.

e. Billeting (This includes contract quarters when no government quarters are available and/or costs to transport, erect, and dismantle temporary quarters when no quarters of any type are available for DOD personnel.)

f. Transportation of supplies, materials, and equipment using military or commercial means of conveyance in support of

civil disturbance operations. (This includes costs for any necessary packing and crating).

g. Rental of equipment by DOD organizations for use in civil disturbance operations.

h. Supplies and materials consumed as a result of participation in civil disturbance operations. (This includes supplies, materials, and equipment furnished and not returned or damaged beyond economical repair. Charges for equipment lost or destroyed will be based on replacement costs.)

i. Maintenance, including purchased maintenance, to repair or recondition loaned DOD property to the condition it was in when first loaned.

5. FINANCING. Pending reimbursement, costs of DOD resources employed or provided to support civil disturbance operations, will be financed according to the following guidelines:

a. Resources employed under a Presidential Executive Order.

(1) Employment of active federal military forces. When the Presidential Executive Order specifies the fund or appropriation to finance expenses, reimbursement to DOD appropriations will be IAW that specification. This includes expenses incurred in prepositioning resources prior to issuance of the Presidential Executive Order. When the Presidential Executive Order does not specify the fund or appropriation, expenses incurred will be financed as follows:

(a) Operating costs (except costs for commercial or MAC airlift) will be financed from the appropriations of the service components of the unified commands.

(b) Costs for movement of personnel via commercial or MAC airlift will be financed by the CINC exercising operational control during the movement.

(c) Costs for military pay and allowances, subsistence, and other costs for military personnel on active federal status will be charged to military personnel appropriations, as normal.

(2) Employment of reserve component forces called to active federal service. The policies set forth in paragraphs 5a(1)(a) and 5a(i)(b) apply. Reserve forces called to active federal duty will be financed by the respective parent military department. If the President increases the number of personnel on active duty beyond the number for which funds are provided in the current DOD appropriation act, the costs for this increase

in military personnel is authorized as an excepted, temporary expense IAW the provisions of Revised Statute 3732 (41 U.S.C. 1), pending reimbursement from DOJ.

b. Resources employed without Presidential Executive Order. When the immediate employment of military resources is required (e.g. sudden and unexpected civil disturbances; emergencies endangering life or federal property or disrupting the normal processes of government; situations requiring the protection of life or federal property or to prevent the disruption of federal functions), expenses incurred will be financed as a mission responsibility of the DOD component employing the military resources. The policies set forth in paragraph 5a(1)(a) above apply except that use of commercial or MAC airlift will be financed from the appropriations of the organization having operational responsibility for the movement.

6. REPORTING. Periodic reports of costs for civil disturbance operations will be prepared by the Operating Agent/Supported CINC and forwarded to the Executive Agent (ATTN: DOMS) to meet requirements for staff information, reprogramming, and requesting additional funds to meet increased service/agency expenses. The Operating Agent/Supported CINC will prepare an initial cost estimate and subsequent reports IAW detailed reporting instructions disseminated via message by the Executive Agent. The operating Agent will also prepare an end of mission (EOM) cost report within thirty working days after the termination of the redeployment phase of the operation. The EOM cost report will show the total costs for all service components and defense agencies. All cost reports will be prepared in the format at Appendix 1 of this annex unless modified by additional instructions issued by the Executive Agent.

Appendix: 1 - Cost Report Format

APPENDIX 1 (COST REPORT FORMAT) TO ANNEX P (FUNDING) TO DEPARTMENT
OF DEFENSE CIVIL DISTURBANCE PLAN

[TYPE REPORT*] REPORT
FOR CIVIL DISTURBANCE OPERATIONS COSTS
FOR [OPERATING AGENT/SUPPORTED CINC] AS OF [THRU DATE]
(RCS-DD-A(AR)1112)

Date Prepared: [PREPARATION DATE]

FY [FISCAL YEAR]

SERVICE COMPONENT OR DEFENSE AGENCY: [NAME OF SERVICE
COMPONENT OR DEFENSE
AGENCY]

APPROPRIATION DATA ([NAME OF APPROPRIATION, E.G. OMA, MPAF])**

| | |
|-------------------------------|---------|
| Reimbursable Obligations: | (\$000) |
| Non-reimbursable obligations: | (\$000) |
| Total Obligations: | (\$000) |

| | |
|-------------------------------------|---------|
| Amount billed for reimbursement: | (\$000) |
| Amount collected for reimbursement: | (\$000) |

TOTAL SERVICE/AGENCY DATA FOR ALL APPROPRIATIONS***

| | |
|--|---------|
| Total Obligations | (\$000) |
| Total Amount Billed for Reimbursement | (\$000) |
| Total Amount Collected for Reimbursement | (\$000) |

Key:

- * Specify either INITIAL, PERIODIC, OR EOM, as applicable.
- ** Provide a separate summary for the status of obligations and reimbursements for each applicable appropriation.
- *** Provide a total summary of the status of obligations and reimbursements for all applicable appropriations.

ANNEX Z (DISTRIBUTION) TO DEPARTMENT OF DEFENSE CIVIL DISTURBANCE
PLAN

| <u>NUMBER
ORGANIZATION</u> | <u>OF COPIES</u> |
|--|------------------|
| Department of Justice | 6 |
| Federal Bureau of Investigation | 3 |
| Department of Defense Agencies | |
| Office of the Secretary of Defense | 3 |
| Joint Chiefs of Staff | 6 |
| Director, Defense Communications Agency, ATTN:
Operations and Plans, 8th & S. Courthouse Road,
Arlington, VA 20305 | 1 |
| Director, Defense Logistics Agency, Cameron Station,
Alexandria, VA 22314 | 3 |
| Defense Intelligence Agency | 1 |
| Defense Mapping Agency | 5 |
| Defense Investigative Service | 5 |
| Unified/Specified Commands | |
| U.S. Atlantic Command | 6 |
| Atlantic Fleet | 2 |
| U.S. Forces Caribbean | 4 |
| U.S. Central Command | 2 |
| U. S. European Command | 6 |
| U.S. Pacific Command | 6 |
| Pacific Fleet | 6 |
| Western Command | 10 |
| U.S. Southern Command | 2 |
| U.S. Special Operations Command | 6 |

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| U.S. Transportation Command | 10 |
| U.S. Forces Command | 20 |
| Department of the Army | |
| Secretary of the Army | 4 |
| Chief of Staff, United States Army | 2 |
| Vice Chief of Staff, United States Army | 6 |
| Service and General Staff | 10 |
| Deputy Chief of Staff for Personnel | 20 |
| Deputy Chief of Staff for Intelligence | 10 |
| Deputy Chief of Staff for Operations and Plans | 100 |
| Deputy Chief of Staff for Logistics | 11 |
| Assistant Secretary of the Army (Civil Works) | 2 |
| Assistant Secretary of the Army (Installations,
Logistics, and Environment) | 2 |
| Assistant Secretary of the Army (Research,
Development and Acquisition) | 2 |
| Assistant Secretary of the Army (Manpower and
Reserve Affairs) | 2 |
| Assistant Secretary of the Army (Financial
Management) | 2 |
| Chief of Public Affairs | 4 |
| The Adjutant General | 2 |
| The Inspector General | 2 |
| General Counsel | 2 |
| Chief of Legislative Liaison | 5 |
| Director of Information Systems for Command,
Control, Communications, and Computers | 5 |
| The Judge Advocate General | 2 |

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| The Surgeon General | 2 |
| Chief of Engineers | 2 |
| Chief of Chaplains | 2 |
| Personnel Command | 2 |
| Army Reserve Personnel Center | 3 |
| U.S. Military Academy | 2 |
| U.S. Military Police Operating Agency | 3 |
| *National Guard Bureau | 110 |
| U.S. Army Training and Doctrine Command | 10 |
| U.S. Army Corps of Engineers | |
| 4 | |
| Military District of Washington | 10 |
| U.S. Army Information Systems Command | 5 |
| 7th Signal Command (USAISC) | 2 |
| U.S. Army Intelligence and Security Command | 6 |
| U.S. Army Materiel Command | 4 |
| U.S. Army Criminal Investigation Command | 3 |
| Health Services Command | 3 |
| U.S. Army Europe and 7th Army | 50 |
| Military Traffic Management Command | 3 |
| U.S. Army Special Operations Command | 6 |
| Commander, First U.S. Army, ATTN: AFKA-OP
Fort Meade, MD 20755 | 4 |
| Commander, Second U.S. Army, ATTN: AFKD-OP
Fort Gillem, GA 30050 | 4 |
| Commander, Fourth U.S. Army, ATTN: AFKE-OP
Fort Sheridan, IL 60037 | 4 |

* Two copies for each Adjutant General.

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| Commander, Sixth U.S. Army, ATTN: AFKC-OP
Presidio of San Francisco, CA 94129 | 4 |
| U.S. Army JFK Special Warfare Center (JFKCENMA),
Fort Bragg, NC 28307 | 5 |
| I Corps | 6 |
| III Corps | 9 |
| XVIII Airborne Corps | 12 |
| 1st Cavalry Division | 6 |
| 2nd Armored Division | 6 |
| 1st Infantry Division (Mechanized) | 6 |
| 4th Infantry Division (Mechanized) | 6 |
| 5th Infantry Division (Mechanized) | 6 |
| 6th Infantry Division (Light) | 6 |
| 7th Infantry Division (Light) | 6 |
| 9th Infantry Division (Motorized) | 6 |
| 10th Mountain Division (Light) | 6 |
| 24th Infantry Division (Mechanized) | 6 |
| 25th Infantry Division (Light) | 6 |
| 82nd Airborne Division | 6 |
| 101st Airborne Division (Air Assault) | 6 |
| 11th Signal Brigade | 2 |
| 177th Armored Brigade | 2 |
| 194th Armored Brigade | 2 |
| 197th Infantry Brigade | 2 |
| 75th Infantry Regiment (Ranger) | 2 |

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| Fort Belvoir, VA 22060 | 2 |
| Fort Benning, GA 31905 | 2 |
| Fort Bliss, TX 79916 | 2 |
| Fort Bragg, NC 28307 | 2 |
| Fort Buchanan, PR | 2 |
| Fort Carson, CO 80913 | 2 |
| Fort Devens, MA 01433 | 2 |
| Fort Dix, NJ 08640 | 2 |
| Fort Drum, NY 13601 | 2 |
| Fort Eustis, VA 23604 | 2 |
| Fort Gordon, GA 30905 | 2 |
| Fort Hamilton, NJ 11252 | 2 |
| Fort Benjamin Harrison, IN 46 | 2 |
| Fort Hood, TX 76544 | 2 |
| Fort Sam Houston, TX 79234 | 2 |
| Fort Huachuca, AZ 85613 | 2 |
| Fort Indiantown Gap, PA 17003 | 2 |
| Fort Irwin, CA 92310 | 2 |
| Fort Jackson, SC 29207 | 2 |
| Fort Knox, KY 40121 | 2 |
| Fort Leavenworth, KS 66027 | 2 |
| Fort Lee, VA 23801 | 2 |
| Fort Lewis, WA 98433 | 2 |
| Fort McClellan, AL 36205 | 2 |
| Fort McCoy, WI 54556 | 2 |
| Fort McNair, Lesley J. | 2 |

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| Fort McPherson, GA 30330 | 2 |
| Fort George G. Meade, MD 20755 | 2 |
| Fort Monmouth, NJ 07703 | 2 |
| Fort Monroe, VA 23651 | 2 |
| Fort Myer, VA 22211 | 2 |
| Fort Ord, CA 93941 | 2 |
| Fort Polk, LA 71459 | 2 |
| Presidio of San Francisco, CA 94129 | 2 |
| Redstone Arsenal, AL 35809 | 2 |
| Fort Richardson, AK 98745 | 2 |
| Fort Riley, KS 66442 | 2 |
| Fort Rucker, AL 36362 | 2 |
| Fort Sheridan, IL 60037 | 2 |
| Fort Sill, OK 73503 | 2 |
| Fort Stewart, GA 31313 | 2 |
| Fort Wainwright, AK 99703 | 2 |
| Fort Leonard Wood, MO 65473 | 2 |
| Department of the Navy | |
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| Commandant of the Marine Corps, Headquarters,
U.S. Marine Corps, Washington, DC 20380 | 4 |
| Chief of Naval Air Training, Naval Air Station,
Corpus Christi, TX 78419 | 4 |
| Chief of Naval Reserve, New Orleans, LA 70146 | 4 |
| Commanding General, Fleet Marine Force, Pacific,
Camp H.E. Smith, HI 96861 | 4 |

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Norfolk, VA 23511 | 4 |
| Commanding General, 1st Marine Division, FMF,
Camp Pendleton, CA 92005 | 4 |
| Commanding General, 2nd Marine Division, FMF,
Camp Lejeune, NC 28542 | 4 |
| Commanding General, Marine Corps Air Station,
El Toro, Santa Ana, CA 92709 | 4 |
| Commanding General, Marine Corps Air Station,
Cherry Point, NC 28533 | 4 |
| Commander, Naval Base, Boston, Philadelphia,
PA 19112 | 4 |
| Commander, Naval Base, New York, Philadelphia,
PA 19112 | 4 |
| Commander, Naval Base, Charleston, SC 29408 | 4 |
| Commander, U.S. Naval Base, Box 34, FPO New
York 09593 | 4 |
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| Commander, Naval Base, San Diego, CA 92132 | 4 |
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Langley AFB, VA 23665 | 3 |
| Headquarters, AFRES/DOXX, Robins AFB, GA 31098 | 3 |
| Headquarters, ACC/ALDOE-P, APO Seattle, WA 98742 | 6 |
| ADCOM/SP, Peterson AFB, CO 80914 | 1 |

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| AFAFC/XSL, Denver, CO 80279 | 1 |
| AFCC/XORX, Scott AFB, IL 62225 | 1 |
| AFLC/XRXX, Wright Patterson AFB, OH 45433 | 2 |
| AFOSP/SPOL, Kirtland AFB, NM 87117 | 3 |
| SAC/DOTUD, Offutt AFB, NE 68113 | 2 |
| ARPC/XPR, Denver, CO 80279 | 1 |
| AFSC/TEOX, Andrews AFB, MD 20334 | 2 |
| ATC/XPR, Randolph AFB, TX 78148 | 2 |
| AUL/LSE, 80-120, Maxwell AFB, AL 36112 | 4 |
| ESC/XPX, Kelly AFB, TX 78243 | 1 |
| USAF/XO, USAF Academy, CO 80840 | 5 |
| MACOS/XPN, Scott AFB, IL 62225 | 2 |
| AU/XP, Maxwell AFB, AL 36112 | 4 |
| AFESC/DEO, Tyndall AFB, FL 32403 | 1 |
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| Commandant, Armed Forces Staff College, ATTN: Army Plans and Training, Norfolk, VA 23511 | 5 |
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Director of Plans and Training, Fort Rucker,
AL 36362 | 5 |
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